LOS ANGELES CITY PLANNING COMMISSION

200 North Spring Street, Room 532, Los Angeles, California, 90012-4801, (213) 978-1300
www.planning.lacity.org

LETTER OF DETERMINATION

MAILING DATE: MAY 17 2018

Case No. CPC-2016-2118-VZC-MCUP-CU-SPR-CDO-DD Council District: 6 – Martinez
CEQA: ENV-2016-1061-EIR; SCH No. 201681031
Plan Area: Mission Hills-Panorama City-North Hills
Related Case: VTT-74315-1A

Project Site: 14665 Roscoe Boulevard
(14665-14697 West Roscoe Boulevard; 8300-8406 North Cedros Avenue; 8321-8413 North Tobias Avenue)

Applicant: Eran Fields, The ICON at Panorama, LLC
Representative: Carol Zagaria, PSOMAS

At its meeting of **April 26, 2018**, the Los Angeles City Planning Commission took the actions below in conjunction with the approval of the following project:

A mixed-use development consisting of up to 623 multi-family residential units and approximately 60,000 square feet of commercial uses, located within four buildings totaling up to 571,146 square-feet of floor area on an 8.9-acre site. Two six- and seven-story residential buildings (four or five stories of residential over two levels of above-ground parking) would be located along the western, northern, and central portions of the site. Commercial uses would be located within two separate one-story buildings on the eastern and southern portions of the site, separated by an approximately 17,000 square-foot plaza, and served by a central surface parking lot and ground-floor parking areas within the residential structure parking podiums. The Project includes demolition and removal of three existing vacant commercial buildings totaling 172,500 square feet of floor area and associated surface parking areas.

1. **Found,** based on the independent judgment of the decision-maker, after consideration of the whole of the administrative record, the project was assessed in the previously certified Environmental Impact Report No. ENV-2016-1061-EIR (SCH. No. 201681031) Draft EIR dated April 2017, Revised Draft EIR dated August 2017, Final EIR dated February 2018, and Errata dated March 2018, certified on April 26, 2018; and pursuant to CEQA Guidelines, Sections 15162 and 15164, no subsequent EIR, negative declaration, or addendum is required for approval of the project;
2. **Approved** and **recommended** that the City Council **adopt**, pursuant to Section 12.32 of the Los Angeles Municipal Code (LAMC), a Vesting Zone Change from [Q]C2-1-CDO (Commercial Zone) and [Q]P-1-CDO (Parking Zone) to (T)(Q)C2-1-CDO (Commercial Zone) for the entire site and modify the existing [Q] Condition related to signage, pursuant to Section 12.32 of the Los Angeles Municipal Code;
3. **Approved**, pursuant to LAMC Section 12.24 W.1, a Master Conditional Use Permit to allow for the sale and dispensing of alcohol for on-site and off-site consumption at five establishments within the commercially developed portion of the project site;

4. **Dismissed** without Prejudice a Conditional Use Permit for restaurants with extended hours of operation past 11:00 p.m., and a maximum building height of 85 feet in lieu of a maximum allowable height of 45 feet;
5. **Approved**, pursuant to LAMC Section 16.05, a Site Plan Review for a development project that creates 50 or more dwelling units and/or 50,000 gross square feet of non-residential floor area;
6. **Approved**, pursuant to LAMC Section 13.08 E.3, a Design Review Plan Approval for the project;
7. **Approved**, pursuant to LAMC Section 12.21(g) a Director's Decision for a ten percent reduction in the required open space;
8. **Adopted** the attached Conditions of Approval, as modified by the Commission; and
9. **Adopted** the attached Findings.

The vote proceeded as follows:

Moved: Dake Wilson
Seconded: Padilla-Campos
Ayes: Ambroz, Choe, Khorsand, Millman, Mitchell
Absent: Choe, Perlman

Vote: **6 – 0**

James K. Williams, Commission Executive Assistant II
Los Angeles City Planning Commission

Effective Date/Appeals: *The decision of the Los Angeles City Planning Commission is not appealable as it relates to the Vesting Zone Change.* The remainder of the decision of the City Planning Commission is appealable to the Los Angeles City Council within 20 days of the mailing date of this determination letter. Any appeal not filed within the 20-day period shall not be considered by the Council. All appeals shall be filed on forms provided at the Planning Department's Development Service Center located at: 201 North Figueroa Street, Fourth Floor, Los Angeles; 6262 Van Nuys Boulevard, Suite 251, Van Nuys; or 1828 Sawtelle Boulevard, West Los Angeles.

FINAL APPEAL DATE: JUN 06 2018

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Ordinance, Map, Modified Conditions of Approval, Findings

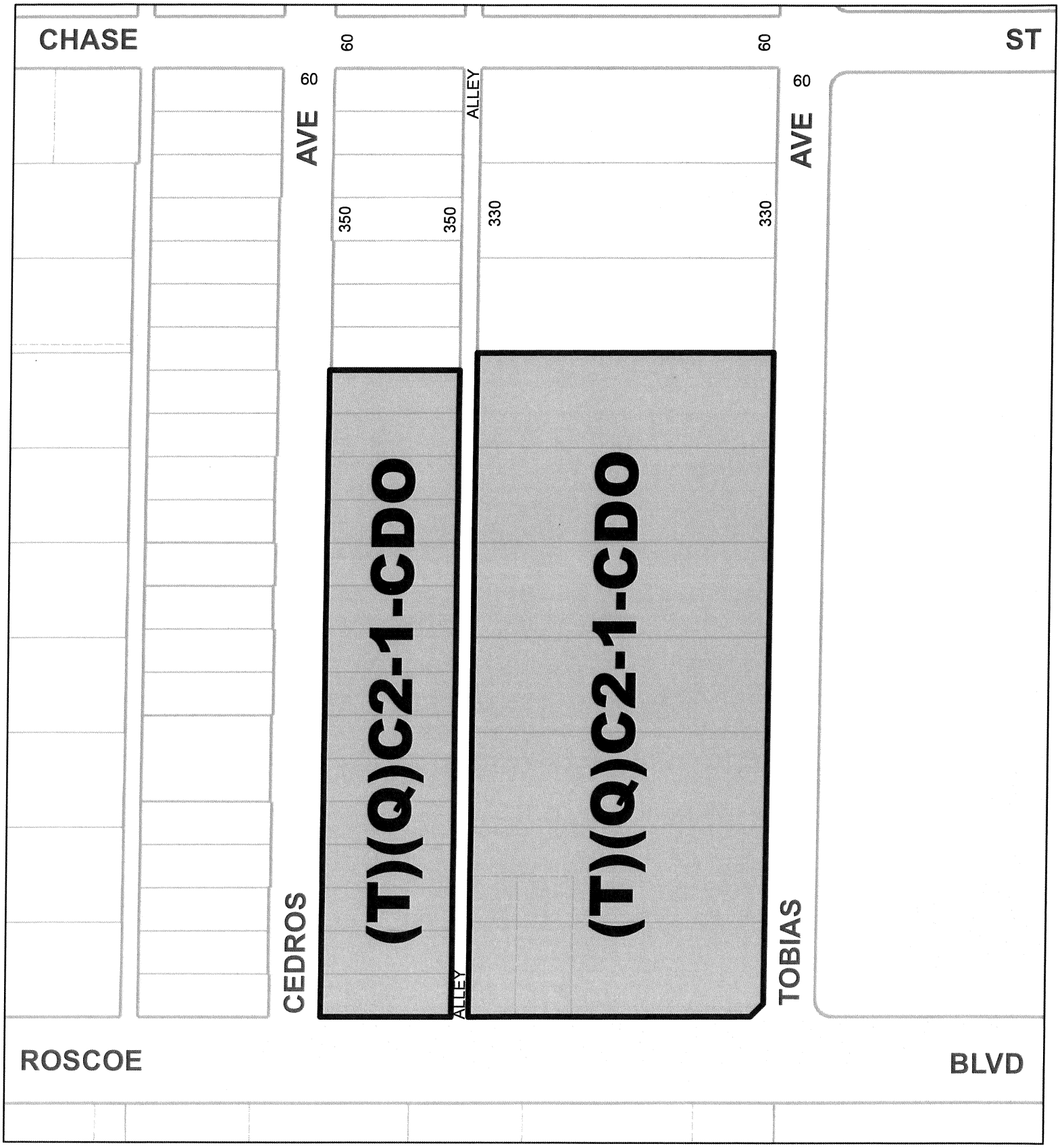
c: Heather Bleemers, Senior City Planner
Milena Zasadzien, City Planner
Mark Friedlander, Planning Assistant

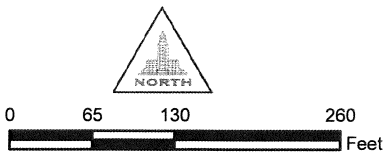
ORDINANCE NO. _____

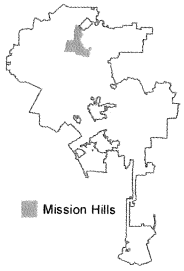
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zone and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows:







CPC-2016-2118-VZC-MCUP-CU-SPR-CDO-DD

MY/cf

050718

Data Sources: Department of City Planning & Bureau of Engineering

(Q) QUALIFIED CONDITIONS OF APPROVAL

As modified by the City Planning Commission April 26, 2018

Pursuant to Section 12.32-G of the Municipal Code, the following limitations are hereby imposed upon the use of the subject property, subject to the "Q" Qualified classification.

A. Development Conditions:

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Site Plans, Floor Plans, Building Elevations, Open Space Plan, and Landscape Plan (Exhibit A, dated April 26, 2018) of the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions. The project shall be constructed in a manner consistent with the following:

   a) A maximum of 623 dwelling units
   b) A maximum of 60,000 square-feet of commercial floor area, consisting of 42,000 square-feet of retail/restaurant uses and a 18,000 square-foot health club

2. **Landscaped Plaza.** A minimum 17,000 square-foot landscaped plaza shall be provided adjacent to Tobias Avenue, as shown in Exhibit A - Project Plans, dated April 26, 2018. The landscaped plaza shall be ungated, publically accessible, and monitored by private security at all times.

3. **Development Services Center.** Prior to sign-off on building permits by the Department of City Planning's Development Services Center for the project, the Department of City Planning's Major Projects Section shall confirm, via signature, that the project's building plans substantially conform to the conceptual plans stamped as Exhibit "A", as approved by the City Planning Commission.

   Note to Development Services Center: The plans presented to, and approved by, the City Planning Commission (CPC) included specific architectural details that were significant to the approval of the project. Plans submitted at plan check for condition clearance shall include a signature and date from Major Projects Section planning staff to ensure plans are consistent with those presented at CPC.

4. **Unbundled Parking.** Residential parking shall be unbundled from the cost of the rental units.

5. **Parking/Electric Vehicle Charging Stations.** Vehicular and bicycle parking shall be provided in accordance with the Municipal Code. The project shall encourage carpooling and the use of electric vehicles by providing that at least 20 percent of the total code-required parking spaces, but in no case less than one location, be capable of supporting future electric vehicle supply equipment (EVSE). Plans shall indicate the proposed type and location(s) of EVSE and also include raceway method(s), wiring schematics and electrical calculations to verify that the electrical system has sufficient capacity to simultaneously charge all electric vehicles at all designated EV charging locations at their full rated amperage. Plan design shall be based upon Level 2 or greater EVSE at

its maximum operating capacity. Of the 20 percent EV Ready, five (5) percent of the total Code-required parking spaces shall be further provided with EV chargers to immediately accommodate electric vehicles within the parking area. Otherwise, only raceways and related components are required to be installed at the time of construction. When the application of the 20 percent results in a fractional space, round up to the next whole number. A label stating "EV CAPABLE" shall be posted in a conspicuous place at the service panel or subpanel and next to the raceway termination point.

6. **Landscaping.** All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped, including an automatic irrigation system, and maintained in accordance with a landscape plan prepared by a licensed landscape architect or licensed architect, and submitted for approval to the Department of City Planning.

7. **Greywater.** The project shall be constructed with an operable recycled water pipe system for onsite greywater use, to be served from onsite non-potable water sources such as showers, washbasins, or laundry and to be used as untreated subsurface irrigation for vegetation or for cooling equipment. The system specifics shall be required as determined feasible by the Department of Water and Power in consultation with the Department of City Planning***.***

8. **Lighting.** All outdoor lighting shall be shielded and down-casted within the site in a manner that prevents the illumination of adjacent public rights-of-way, adjacent properties, and the night sky (unless otherwise required by the Federal Aviation Administration (FAA) or for other public safety purposes). Areas where retail and restaurant uses are located shall be maintained to provide sufficient illumination of the immediate environment so as to render objects or persons clearly visible for the safety of the public and emergency response personnel.

9. **Ordinance 175,550**. The [Q] conditions of the Panorama City Center Design Overlay District (Ordinance 175,500) shall be superseded and modified with the following conditions applying to the site:

   - All auto-related uses shall be prohibited. The definition of auto-related uses shall include sales, storage, rentals, installation of accessories, maintenance and repair of any motorized vehicle, including, but not limited to: automobiles, trucks, recreational vehicles, boats, jet skis, motor homes, and motorcycles.

   - Any new construction, significant facade modification or addition, or change-of-use involving increased trips or parking requirements shall provide a direct pedestrian pathway from the public right-of-way to the entrance of the business. This direct access shall not cross a driveway entrance.

   - Building-mounted signage shall not total more than two square feet per linear foot of building frontage *fronting on either a public street, internal driveway, or internal parking area*, and shall otherwise be subject to the Panorama City Community Design Guidelines.

10. **Signage.** Off-site signs, including temporary signs on construction walls, shall be prohibited.

11. **Tribal Cultural Resource Inadvertent Discovery**. In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities (including the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, auguring, backfilling, blasting, stripping topsoil or a similar activity), all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

    - Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning at (213) 978-1454.
    - If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
    - The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
    - The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
    - If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
    - The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
    - Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
    - Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

B. <u>Environmental Conditions.</u>

1. **Mitigation Monitoring Program**. The project shall be in substantial conformance with the mitigation measures in the attached MMP and stamped "Exhibit B" and attached to the subject case file. The implementing and enforcing agencies may determine substantial conformance with mitigation measures in the MMP. If substantial

conformance results in effectively deleting or modifying the mitigation measure, the Director of Planning shall provide a written justification supported by substantial evidence as to why the mitigation measure, in whole or in part, is no longer needed and its effective deletion or modification will not result in a new significant impact or a more severe impact to a previously identified significant impact.

If the Project is not in substantial conformance to the adopted mitigation measures or MMP, a modification or deletion shall be treated as a new discretionary action under CEQA Guidelines, Section 15162(c) and will require preparation of an addendum or subsequent CEQA clearance. Under this process, the modification or deletion of a mitigation measure shall not require a Tract Map Modification unless the Director of Planning also finds that the change to the mitigation measures results in a substantial change to the Project or the non-environmental conditions of approval.

2. **Mitigation Monitor (Construction).** During the construction phase and prior to the issuance of building permits, the Applicant shall retain an independent Construction Monitor (either via the City or through a third-party consultant, the election of which is in the sole discretion of the Applicant), approved by the City of Los Angeles Department of City Planning which approval shall not be reasonably withheld, who shall be responsible for monitoring implementation of project design features and mitigation measures during construction activities consistent with the monitoring phase and frequency set forth in this MMP.

   The Construction Monitor shall also prepare documentation of the Applicant's compliance with the project design features and mitigation measures during construction every 90 days in a form satisfactory to the Department of City Planning. The documentation must be signed by the Applicant and Construction Monitor and be included as part of the Applicant's Compliance Report. The Construction Monitor shall be obligated to report to the Enforcement Agency any non-compliance with mitigation measures and project design features within two businesses days if the Applicant does not correct the non-compliance within a reasonable time of written notification to the Applicant by the monitor or if the non-compliance is repeated. Such non-compliance shall be appropriately addressed by the Enforcement Agency.

C. <u>Administrative Conditions</u>:

1. **Approval, Verification and Submittals.** Copies of any approvals, guarantees or verification of consultations, review or approval, plans, etc., as may be required by the subject conditions, shall be provided to the Planning Department for placement in the subject file.

2. **Code Compliance.** Area, height and use regulations of the zone classification of the subject property shall be complied with, except where herein conditions are more restrictive.

3. **Covenant.** Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent property owners, heirs or assign. The agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Planning Department for attachment to the file.

4. **Definition.** Any agencies, public officials or legislation referenced in these conditions shall mean those agencies, public officials, legislation or their successors, designees or amendment to any legislation.

5. **Enforcement.** Compliance with these conditions and the intent of these conditions shall be to the satisfaction of the Planning Department and any designated agency, or the agency's successor and in accordance with any stated laws or regulations, or any amendments thereto.

6. **Building Plans.** Page 1 of the grants and all the conditions of approval shall be printed on the building plans submitted to the City Planning Department and the Department of Building and Safety.

7. **Project Plan Modifications.** Any corrections and/or modifications to the Project plans made subsequent to this grant that are deemed necessary by the Department of Building and Safety, Housing Department, or other Agency for Code compliance, and which involve a change in site plan, floor area, parking, building height, yards or setbacks, building separations, or lot coverage, shall require a referral of the revised plans back to the Department of City Planning for additional review and final sign-off prior to the issuance of any building permit in connection with said plans. This process may require additional review and/or action by the appropriate decision-making authority including the Director of Planning, City Planning Commission, Area Planning Commission, or Board.

8. **Indemnification and Reimbursement of Litigation Costs.** The Applicant shall do all of the following:

   (i) Defend, indemnify and hold harmless the City from any and all actions against the City relating to or arising out of, in whole or in part, the City's processing and approval of this entitlement, including but not limited to, an action to attack, challenge, set aside, void, or otherwise modify or annul the approval of the entitlement, the environmental review of the entitlement, or the approval of subsequent permit decisions, or to claim personal property damage, including from inverse condemnation or any other constitutional claim.

   (ii) Reimburse the City for any and all costs incurred in defense of an action related to or arising out of, in whole or in part, the City's processing and approval of the entitlement, including but not limited to payment of all court costs and attorney's fees, costs of any judgments or awards against the City (including an award of attorney's fees), damages, and/or settlement costs.

   (iii) Submit an initial deposit for the City's litigation costs to the City within 10 days' notice of the City tendering defense to the Applicant and requesting a deposit. The initial deposit shall be in an amount set by the City Attorney's Office, in its sole discretion, based on the nature and scope of action, but in no event shall the initial deposit be less than $50,000. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

   (iv) Submit supplemental deposits upon notice by the City. Supplemental deposits may be required in an increased amount from the initial deposit if found necessary by the City to protect the City's interests. The City's failure to notice or collect the deposit does not relieve the Applicant from responsibility to reimburse the City pursuant to the requirement in paragraph (ii).

(v) If the City determines it necessary to protect the City's interest, execute an indemnity and reimbursement agreement with the City under terms consistent with the requirements of this condition.

The City shall notify the applicant within a reasonable period of time of its receipt of any action and the City shall cooperate in the defense. If the City fails to notify the applicant of any claim, action, or proceeding in a reasonable time, or if the City fails to reasonably cooperate in the defense, the applicant shall not thereafter be responsible to defend, indemnify or hold harmless the City.

The City shall have the sole right to choose its counsel, including the City Attorney's office or outside counsel. At its sole discretion, the City may participate at its own expense in the defense of any action, but such participation shall not relieve the applicant of any obligation imposed by this condition. In the event the Applicant fails to comply with this condition, in whole or in part, the City may withdraw its defense of the action, void its approval of the entitlement, or take any other action. The City retains the right to make all decisions with respect to its representations in any legal proceeding, including its inherent right to abandon or settle litigation.

For purposes of this condition, the following definitions apply:

"City" shall be defined to include the City, its agents, officers, boards, commissions, committees, employees, and volunteers.

"Action" shall be defined to include suits, proceedings (including those held under alternative dispute resolution procedures), claims, or lawsuits. Actions includes actions, as defined herein, alleging failure to comply with any federal, state or local law.

Nothing in the definitions included in this paragraph are intended to limit the rights of the City or the obligations of the Applicant otherwise created by this condition.

CONDITIONS FOR EFFECTUATING (T)
TENTATIVE CLASSIFICATION REMOVAL

Pursuant to Section 12.32-G of the Municipal Code, the (T) Tentative Classification shall be removed by the recordation of a final parcel or tract map or by posting of guarantees through the B-permit process of the City Engineer to secure the following without expense to the City of Los Angeles, with copies of any approval or guarantees provided to the Department of City Planning for attachment to the subject planning case file.

Bureau of Engineering.

1. Dedication Required:

    a. **Roscoe Boulevard.** That a five-foot wide strip of land be dedicated along Roscoe Boulevard adjoining the tract to complete a 55-foot wide half right-of-way in accordance with Boulevard II Standards of LA Mobility Plans. In addition, dedicate 20-foot radius property line returns or 15-foot by 15-foot cut corners at intersections with Cedros Avenue and with Tobias Avenue.

    b. **Cedros Avenue.** That a three-foot wide strip of land be dedicated along Cedros Avenue adjoining the tract to complete a 33-foot wide half right-of-way in accordance with Collector Street Standards of LA Mobility Plans.

    c. **Alley.** That a new public alley right-of-way be dedicated from the terminus of the proposed alley merger to Tobias Avenue within the tract boundary. The new alley shall be dedicated 29 feet wide from the intersection with the remaining north-south alley to approximately 60 feet easterly thereof, and 20 feet wide from approximately 60 feet easterly of the intersection with the remaining north-south alley to Tobias Avenue.

2. Improvements Required: That the following improvements be either constructed prior to recordation of the final map or that the construction be suitably guaranteed:

    a. **Drainage.** After submittal of hydrology and hydraulic calculations and drainage plans for review by the Valley District Engineering Office prior to recordation of the final map, construction of public drainage facilities or any other drainage systems will be required to drain the remainder of the alley not being merged and new dedicated alley to outlets satisfactory to the City Engineer.

    b. **Roscoe Boulevard.** Improve Roscoe Boulevard being dedicated and adjoining the subdivision by the construction of a new 15-foot wide concrete sidewalk with tree wells, including any necessary removal and reconstruction of existing improvements.

    c. **Cedros Avenue**. Improve Cedros Avenue being dedicated and adjoining the subdivision by the construction of a new 15-foot wide concrete sidewalk with tree wells, or a 5-foot concrete sidewalk and landscaping of the parkway, including any necessary removal and reconstruction of existing improvements.

d. **Tobias Avenue.** Improve Tobias Avenue adjoining the subdivision by the removal the existing sidewalk and reconstruction a new 12-foot wide full-width concrete sidewalk with tree wells, including any necessary removal and reconstruction of existing

e. **Corners.** Improve all newly dedicated cut corners with additional concrete sidewalks.

f. **Roscoe Boulevard/Alley.** Close the alley intersection with Roscoe Boulevard being merged, by the construction of new concrete integral curb and gutter and concrete sidewalk joining the Roscoe Boulevard new improvement.

g. **Alley.** Improve the newly dedicated alley by the construction of suitable surfacing to provide a 29-foot wide alley from the intersection with the remaining north-south alley to approximately 60 feet easterly thereof, and a 20-foot wide alley from approximately 60 feet easterly of the intersection with the remaining north-south alley to Tobias Avenue, including a two-foot longitudinal center gutter through both sections, and including construction of an alley intersection with Tobias Avenue, together with any necessary removal and reconstruction of existing improvements.

3. That the City Department of Transportation in a letter to City Engineer shall determine that the alley merger area is not necessary for current and future Public Street.

4. That Department of the City Planning in a letter to the City Engineer shall also determine that the proposed alley merger area is consistent with all applicable General Plan Elements of Highway and Circulation Elements for LA Mobility Plan.

5. In the event that Department of Transportation and Department of City Planning have no objections to the alley merger then the portion of the alley as shown on the tentative map dated September 15, 2016, except that partial portion of the alley less than 20-foot wide (no half alley merger is allowed), be permitted to be merged with the remainder of the tract map pursuant to Section 66499.20.2 of the State Government Code, and in addition, the following conditions be executed by the applicant and administered by the City Engineer:

   a. That consents to the alley being merged and waivers of any damages that may accrue as a result of such mergers be obtained from all property owners who might have certain rights in the area being merged.
   b. That satisfactory arrangements be made with all public utility agencies maintaining existing facilities within the area being merged.

6. That any surcharge fee in conjunction with the street merger requests be paid.

7. That the subdivider make a request to the Valley District Office of the Bureau of Engineering to determine the capacity of existing sewers in this area.

8. That a set of drawings for airspace lots be submitted to the City Engineer showing the followings:

   a. Plan view at different elevation
   b. Isometric views.
   c. Elevation views.
   d. Section cuts at all locations where air space lot boundaries change.

9. That the owners of the property record an agreement satisfactory to the City Engineer stating that they will grant the necessary private easements for ingress and egress purposes

to serve proposed airspace lots to use upon the sale of the respective lots and they will maintain the private easements free and clear of obstructions and in safe conditions for use at all times.

10. **Department of Transportation.** Prior to recordation of the final map, satisfactory arrangements shall be made with the Department of Transportation to assure:

    a. All the requirements and conditions listed in the DOT traffic assessment letter dated December 20, 2016, and all subsequent revisions to this traffic assessment, be applied to the tract map. Project requirements include the following summarized below:

    - Intersection Improvements. Physical traffic mitigation improvements at the following intersections:
        - Tobias Avenue and Roscoe Boulevard; and
        - Tobias Avenue Project Access Improvements.
    - Upgrade to the existing traffic signal at Roscoe Boulevard and Tobias Avenue.
    - New Traffic Signal at the intersection of Chase Street and Tobias Avenue.
    - Transportation Demand Management (TDM) Program.
    - Highway Dedication and Street Widening Requirements in accordance with Mobility Plan 2035 and BOE requirements.
    - Construction Work Site Traffic Control Plan.
    - Parking Requirements per LAMC.
    - Final DOT Review of Driveway Access and Circulation.

    b. A minimum of 60-foot reservoir space be provided between any security gate(s) and the property line, to the satisfaction of DOT. Backing out onto Roscoe Boulevard shall be prohibited.

    c. Driveway apron width of W=30 feet is required, to the satisfaction of DOT.

    d. A parking area and driveway plan be submitted to the Citywide Planning Coordination Section of the Department of Transportation for approval prior to submittal of building permit plans for plan check by the Department of Building and Safety. Transportation approvals are conducted at 6262 Van Nuys Boulevard, Room 320, Van Nuys, CA 91401.

    e. That the subdivision report fee and condition clearance fee be paid to the Department of Transportation as required per Ordinance No. 183270 and LAMC Section 19.15 prior to recordation of the final map. Note: the applicant may be required to comply with any other applicable fees per this new ordinance.

11. **Fire Department.** Prior to the recordation of the final map, a suitable arrangement shall be made satisfactory to the Fire Department, binding the subdivider and all successors to the following:

    a. Access for Fire Department apparatus and personnel to and into all structures shall be required.

    b. The entrance to a Residence lobby must be within 50 feet of the desired street address curb face.

    c. Where above ground floors are used for residential purposes, the access requirement shall be interpreted as being the horizontal travel distance from the street, driveway,

alley, or designated fire lane to the main entrance of individual units.

d. The entrance or exit of all ground dwelling units shall not be more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

e. No building or portion of a building shall be constructed more than 150 feet from the edge of a roadway of an improved street, access road, or designated fire lane.

f. The Fire Department may require additional vehicular access where buildings exceed 28 feet in height.

g. **L.A.M.C. 57.09.03.B Exception:**

- When this exception is applied to a fully fire sprinklered residential building equipped with a wet standpipe outlet inside an exit stairway with at least a 2 hour rating the distance from the wet standpipe outlet in the stairway to the entry door of any dwelling unit or guest room shall not exceed 150 feet of horizontal travel AND the distance from the edge of the roadway of an improved street or approved fire lane to the door into the same exit stairway directly from outside the building shall not exceed 150 feet of horizontal travel.

- It is the intent of this policy that in no case will the maximum travel distance exceed 150 feet inside the structure and 150 feet outside the structure. The term “horizontal travel” refers to the actual path of travel to be taken by a person responding to an emergency in the building.

- This policy does not apply to single-family dwellings or to non-residential buildings.

h. Building designs for multi-storied residential buildings shall incorporate at least one access stairwell off the main lobby of the building; But, in no case greater than 150ft horizontal travel distance from the edge of the public street, private street or Fire Lane. This stairwell shall extend unto the roof.

i. Entrance to the main lobby shall be located off the address side of the building.

j. Any required Fire Annunciator panel or Fire Control Room shall be located within 50ft visual line of site of the main entrance stairwell or to the satisfaction of the Fire Department.

k. Fire lane width shall not be less than 20 feet. When a fire lane must accommodate the operation of Fire Department aerial ladder apparatus or where fire hydrants are installed, those portions shall not be less than 28 feet in width.

l. The width of private roadways for general access use and fire lanes shall not be less than 20 feet, and the fire lane must be clear to the sky.

m. Fire lanes, where required and dead ending streets shall terminate in a cul-de-sac or other approved turning area. No dead ending street or fire lane shall be greater than 700 feet in length or secondary access shall be required.

n. Submit plot plans indicating access road and turning area for Fire Department approval.

o. Adequate off-site public and on-site private fire hydrants may be required. Their number and location to be determined after the Fire Department's review of the plot plan.

p. Standard cut-corners will be used on all turns.

q. The Fire Department may require additional roof access via parapet access roof ladders where buildings exceed 28 feet in height, and when overhead wires or other obstructions block aerial ladder access.

r. All parking restrictions for fire lanes shall be posted and/or painted prior to any Temporary Certificate of Occupancy being issued.

s. Plans showing areas to be posted and/or painted, “FIRE LANE NO PARKING” shall be submitted and approved by the Fire Department prior to building permit application sign-off.

t. Electric Gates approved by the Fire Department shall be tested by the Fire Department prior to Building and Safety granting a Certificate of Occupancy.

u. **Section 510, Emergency Responder Radio Coverage.** 5101.1 Emergency responder radio coverage in new buildings. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communications systems.

v. During demolition, the Fire Department access will remain clear and unobstructed.

w. That in order to provide assurance that the proposed common fire lane and fire protection facilities, for the project, not maintained by the City, are properly and adequately maintained, the sub-divider shall record with the County Recorder, prior to the recordation of the final map, a covenant and agreement (Planning Department General Form CP-6770) to assure the following:

   i. The establishment of a property owners association, which shall cause a yearly inspection to be, made by a registered civil engineer of all common fire lanes and fire protection facilities. The association will undertake any necessary maintenance and corrective measures. Each future property owner shall automatically become a member of the association or organization required above and is automatically subject to a proportionate share of the cost.
   ii. The future owners of affected lots with common fire lanes and fire protection facilities shall be informed or their responsibility for the maintenance of the devices on their lots. The future owner and all successors will be presented with a copy of the maintenance program for their lot. Any amendment or modification that would defeat the obligation of said association as the Advisory Agency must approve required hereinabove in writing after consultation with the Fire Department.
   iii. In the event that the property owners association fails to maintain the common property and easements as required by the CC and R's, the individual property owners shall be responsible for their proportional share of the maintenance.
   iv. Prior to any building permits being issued, the applicant shall improve, to the satisfaction of the Fire Department, all common fire lanes and install all private fire hydrants to be required.

v. That the Common Fire Lanes and Fire Protection facilities be shown on the Final Map.

x. Those plot plans be approved by the Fire Department showing fire hydrants and access for each phase of the project prior to the recording of the final map for that phase. Each phase shall comply independently with code requirements.

y. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

z. During demolition, the Fire Department access will remain clear and unobstructed

aa. Any roof elevation changes in excess of 3 feet may require the installation of ships ladders.

Note: The applicant is further advised that all subsequent contact regarding these conditions must be with the Hydrant and Access Unit. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished BY APPOINTMENT ONLY, in order to assure that you receive service with a minimum amount of waiting please call (818) 374-4351. You should advise any consultant representing you of this requirement as well.

12. **Department of Water and Power**. Satisfactory arrangements shall be made with the Los Angeles Department of Water and Power (LADWP) for compliance with LADWP's Water System Rules and requirements. Upon compliance with these conditions and requirements, LADWP's Water Services Organization will forward the necessary clearances to the Bureau of Engineering.

13. **Bureau of Street Lighting.**

a. Install street lighting facilities to serve the tract as required by the Bureau of Street Lighting. Improvement Condition:

If street widening per BOE improvement conditions, relocate and upgrade street lights, (consistent with the Panorama City Center Streetscape Plan, as applicable):

- four (4) on Cedros Avenue
- five (5) on Roscoe Boulevard
- five (5) on Tobias Avenue.

Notes:

The quantity of street lights identified may be modified slightly during the plan check process based on illumination calculations and equipment selection.

Conditions set: 1) in compliance with a Specific Plan, 2) by LADOT, or 3) by other legal instrument excluding the Bureau of Engineering conditions, requiring an improvement that will change the geometrics of the public roadway or driveway apron may require additional or the reconstruction of street lighting improvements as part of that condition.

14. **Bureau of Sanitation.** There are easements contained within the property. Any proposed development in close proximity to the easements must secure Department of Public Works

approval. Satisfactory arrangements shall be made with the Bureau of Sanitation, Wastewater Collection Systems Division for compliance with its sewer system review and requirements. Upon compliance with its conditions and requirements, the Bureau of Sanitation, Wastewater Collection Systems Division will forward the necessary clearances to the Bureau of Engineering.

15. **Information Technology Agency.** That satisfactory arrangements be made in accordance with the requirements of the Information Technology Agency to assure that cable television facilities will be installed in the same manner as other required improvements. Refer to the LAMC Section 17.05-N. Written evidence of such arrangements must be submitted to the Information Technology Agency, 200 North Main Street, 12th Floor, Los Angeles, CA 90012, (213) 922-8363. Please email cabletv.ita@lacity.org for an automated response with instructions on how to obtain Cable TV clearance.

16. **Department of Recreation and Parks**. That the Quimby Fee be based on the C2 Zone. The application was filed on June 15, 2016, prior to the effective date of Ordinance No. 184,505.

17. **Bureau of Street Services, Urban Forestry Division**. Prior to the issuance of a grading permit, a plot plan prepared by a reputable tree expert, indicating the location, size, type, and condition of all existing trees on the site shall be submitted for approval by the Department of City Planning. All trees in the public right-of-way shall be provided per the current Urban Forestry Division standards and the Los Angeles Sports and Entertainment District Streetscape Plan, as applicable.

    Replacement by a minimum of 24-inch box trees in the parkway and on the site of to be removed, shall be required for the unavoidable loss of desirable trees on the site, and to the satisfaction of the Advisory Agency. **Note**: Removal of all trees in the public right-of-way shall require approval of the Board of Public Works. Contact: Urban Forestry Division at: (213) 485-5675. Failure to comply with this condition as written shall require the filing of a modification to this tract map in order to clear the condition.

18. **Covenant**. Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. Further, the agreement must be submitted to the Planning Department for approval before being recorded. After recordation, a copy bearing the Recorder's number and date must be given to the City Planning Department for attachment to the subject file.

Notice: Prior to issuance of a clearance letter by the Bureau of Engineering, all engineering fees pertaining to Ordinance No. 176,077 adopted by the City Council, must be paid in full at the Development Services Division office.

Notice: Certificates of Occupancy for the subject property will not be issued by the City until the construction of all the public improvements (streets, sewers, storm drains, etc.), as required herein, are completed to the satisfaction of the City Engineer.

CONDITIONS OF APPROVAL

As modified by the City Planning Commission April 26, 2018

A. Entitlement Conditions – Master Conditional Use for Alcohol Sales.

1. **Grant.** Approved herein is a Master Conditional Use Permit to allow for the service of a full line of alcoholic beverages for on-site and off-site consumption in the commercial component of the project site.

2. **Master Plan Approval (MPA) Requirement.** Each individual venue shall be subject to a Master Plan Approval (MPA) determination pursuant to Section 12.24-M of the Los Angeles Municipal Code in order to implement and utilize the Master Conditional Use authorization granted. The purpose of the Master Plan Approval determination is to review each proposed venue in greater detail and to tailor site-specific conditions of approval for each of the premises subject to analysis of the venue's individual mode and character of operations including but not limited to hours of operation, seating capacity, size, security, live entertainment, the length of a term grant and/or any requirement for a subsequent MPA application to evaluate compliance and effectiveness of the conditions of approval. These conditions may include additional conditions not included in the Master Conditional Use Conditions of Approval. A Plan Approval without a hearing may be granted by the Chief Zoning Administrator if the operator agree to the Conditional Use Permit Conditions.

3. **Employee Training.** Within six months of the effective date of the any subsequent plan approvals, all employees involved with the sale of alcoholic beverages shall enroll in the Los Angeles Police Department “Standardized training for Alcohol Retailers” (STAR). Upon completion of such training, the applicant shall request the Police Department to issue a letter identifying which employees completed the training. The applicant shall transmit a copy of the letter from the Police Department to the Zoning Administrator as evidence of compliance. In the event there is no change in the licensee, within one year of such change, this training program shall be required for all new staff.

4. **Additional Conditions.** The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Department of City Planning to impose additional corrective conditions, if, it is determined by the Department of City Planning that such conditions are proven necessary for the protection of person in the neighborhood or occupants of adjacent property.

5. **Security.** The operator shall install and maintain surveillance cameras in all areas of the restaurant premises, including any outdoor dining area and a 30-day video library that covers all common areas of such business, including all high-risk areas and entrances or exits. The tapes shall be made available to the Police Department upon request.

6. **Lease Agreements.** All establishments applying for an Alcoholic Beverage Control license shall be given a copy of these conditions prior to executing a lease and these conditions shall be incorporated into the lease. Furthermore, all vendors of alcoholic beverages shall be made aware that violations of these conditions may result in revocation of the privileges of serving alcoholic beverages on the premises.

7. **Building Plans.** A copy of this grant and all Conditions and/or any subsequent appeal of this grant and resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.

8. **Ownership/Operator Change**. Should there be a change in the ownership and/or the operator of the business, the property owner and the business owner or operator shall provide the prospective new property owner and the business owner/operator with a copy of the conditions of this action prior to the legal acquisition of the property and/or the business. Evidence that a copy of this determination has been provided to the prospective owner/operator, including the conditions required herewith, shall be submitted to the BESt (Beverage and Entertainment Streamlined Program) in a letter from the new operator indicating the date that the new operator/management began and attesting to the receipt of this approval and its conditions. The new operator shall submit this letter to the BESt (Beverage and Entertainment Streamlined Program) within 30 days of the beginning day of his/her new operation of the establishment along with the dimensioned floor plan, seating arrangement and number of seats of the new operation.

9. **MViP – Monitoring, Verification and Inspection Program**. At any time, before, during, or after operating hours, a City inspector may conduct a site visit to assess compliance with, or violations of, any of the conditions of this grant. Observations and results of said inspection will be documented and used to rate the operator according to the level of compliance. If a violation exists, the owner/operator will be notified of the deficiency or violation and will be required to correct or eliminate the deficiency or violation. Multiple or continued documented violations or Orders to Comply issued by the Department of Building and Safety which are not addressed within the time prescribed therein, may result in denial of future requests to renew or extend this grant.

10. **Covenant and Agreement.** Within 30 days of the effective date of this grant, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center or the BESt (Beverage and Entertainment Streamlined Program) for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Development Services Center or BESt (Beverage and Entertainment Streamlined Program) for inclusion in the case file.

B. Entitlement Conditions – Site Plan Review

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Site Plans, Floor Plans, Building Elevations, Open Space Plan, and Landscape Plan (Exhibit A - Project Plans, dated April 26, 2018) of the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.

2. **Landscaped Plaza.** A minimum 17,000 square-foot landscaped plaza shall be provided adjacent to Tobias Avenue, as shown in Exhibit A - Project Plans, dated April 26, 2018.

The landscaped plaza shall be ungated, publically accessible, and monitored by private security at all times.

3. **Residential Lobbies.** A minimum of two residential lobbies shall be provided for the residential building along Cedros Avenue, providing direct ground-floor access into the building from both Cedros Avenue and Roscoe Boulevard. Direct and unobstructed ground-floor access via a pedestrian pathway shall also be provided from Cedros Avenue into the residential building in the center of the site.

4. **Pedestrian Walkways.** All pedestrian walkways shall be clearly demarcated with decorative paving, including at all pedestrian crossings over vehicular drive aisles, and shall be provided in substantial conformance with the Site Pedestrian Linkage Plan of Exhibit A.

5. **Pedestrian Lighting.** Pedestrian-scaled lighting shall be installed along both sides of the two-way fire lane for safety and security.

6. **Architectural Design Revisions.** The design of the residential buildings shall be revised with the following enhancements in consultation with the Urban Design Studio of the Department of City Planning:

   a. The horizontal elements of the residential building façades shall be deemphasized and the facades shall be differentiated with architectural features or an improved color scheme to break up any long and repetitious building elevations, especially along the Cedros Avenue frontage.
   b. The residential lobby entryway for the central residential building shall be enhanced to clearly demarcate entry into the building from adjacent pedestrian pathways.

7. **Vehicle Parking.** Vehicular parking shall be set back from any adjacent public right-of-way by a minimum of 25-feet. All vehicular parking shall be located either within the interior of the residential buildings or in the interior of the lot. All podium parking shall be articulated with architectural features and landscaping in order to fully screen the structure from the landscaped plaza and internal driveways.

C. Entitlement Conditions – Community Design Overlay

1. **Site Development.** The use and development of the property shall be in substantial conformance with the Site Plans, Floor Plans, Building Elevations, Open Space Plan, and Landscape Plan (Exhibit A - Project Plans, dated April 26, 2018) of the subject case file. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.

2. **Wall Openings.** Wall openings (windows and doors) shall occupy at least fifty percent of the linear street frontage of the ground floor.

3. **Door Transparency.** Entry doors for each commercial tenant space shall contain at least 70 percent clear glass with 90 percent light transmission.

4. **Windows.** Store windows shall be clear, with at least 90 percent light transmission. Windows shall not be covered over with any type of material including but not limited to

lattices, paper, and plywood. They may be painted with art works so long as these do not include advertising copy.

5. **Prohibited Dark Tinted Glass.** Reflective or very dark tinted glass shall not be used at the ground floor and mirror/reflective glass or films shall not be used in any location.

6. **Concealment of Security Fixtures.** Any future security devices (i.e. bars, gates, grates, and grilles) shall be located in6the interior of the building and shall be fully retractable into pockets or receptacles to provide complete concealment when retracted. Exterior security bars, gates, grates, grilles, and other similar devices are prohibited.

7. **Mechanical Equipment.** All exterior mechanical equipment, including heating, ventilation and air conditioning (HVAC) equipment, satellite dishes, and cellular antennas, shall be screened from public view through the use of architectural elements such as parapets. Wood lattice and plywood screens are prohibited.

8. **Trash Collection.** Exterior trash and recycling collection containers shall be located within minimum 6-foot high decorative concrete masonry block enclosures. The wall enclosures shall use graffiti-resistant material or shall be screened with clinging vines.

9. **Master Sign Program.** In addition to the requirements of the Los Angeles Municipal Code, all signage on-site shall conform with the following standards, and shall be permitted as a sign-off on a sign permit application by the Director of Planning:

   - **Size Limits for Signs.** Building-mounted signage shall not total more than two square feet per linear foot of building frontage *fronting on either a public street, internal driveway, or internal parking area*.
   - **Sign Type Preference.** Channel letters or custom-shaped cabinet signs shall be used for all wall signs. The signs may include images, as well as text, but should not repeat any element on a given façade.
   - **Temporary Signs.** Temporary signs, up to 100 square feet, such as banners, may be permitted for up to 30 days only.
   - **Prohibited Signs.** The following signs are prohibited: new or replacement billboards of any size, painted signs or advertising on windows, roof signs, wall signs that break any portion of the parapet line, and signs that feature blinking, flashing, or running lights, movement of the whole sign or any part thereof, or changing messages.
   - **Window Sign Size and Content.** Window signs shall be limited to permanent signs that occupy no more than 10 percent of the window area.

D. Entitlement Conditions – Director's Decision for Reduced Open Space.

1. **Open Space.** The use and development of the property shall be in substantial conformance with the Open Space Plan and Landscape Plan (Exhibit A - Project Plans, dated April 26, 2018) of the subject case file, and the amenities list provided below. No change to the plans will be made without prior review by the Department of City Planning, and written approval by the Director of Planning. Each change shall be identified and justified in writing. Minor deviations may be allowed in order to comply with the provisions of the Municipal Code or the project conditions.

   a. Main Residential Building along Cedros Avenue:
      - Three outdoor courtyards, each approximately 5,500 square-feet in area
      - An outdoor swimming pool
      - An outdoor children's play area

- An outdoor dog-run

b. Central Residential Building along Tobias Avenue:
   - An outdoor courtyard, approximately 6,000 square-feet in area

c. Commercial Areas along Tobias Avenue:
   - A landscaped plaza, approximately 17,000 square-feet in area

FINDINGS

As amended by the City Planning Commission April 26, 2018

A. GENERAL PLAN / CHARTER FINDINGS.

The proposed zone change is in substantial conformance with the purposes, intent, and provisions of the General Plan. In addition, the proposed land use ordinance is consistent with and implements policies in the Mission Hills – Panorama City – North Hills Community Plan, a component of the Land Use Element of the General Plan:

1. **Framework Element.** The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework's Long Range Diagram identifies the Project Site identifies the site, along with adjacent commercial areas along the west side of Van Nuys Boulevard, as a Regional Center and as a focal point of regional commerce, identity, and activity. Regional Centers typically contain a diversity of uses, act as transportation hubs, and fall within a range of floor ratios from 1.5:1 to 6:1, characterized by building heights of six to 20 stories.

   The ICON at Panorama Project involves the construction of a mixed-use development consisting of up to 623 multi-family residential units and approximately 60,000 square feet of commercial uses, located within four buildings totaling approximately 572,000 square-feet of floor area on an 8.9-acre site. Two six- and seven-story residential buildings (four or five stories of residential over two levels of above-ground parking) would be located along the western, northern, and central portions of the site. Commercial uses would be located within two separate one-story buildings on the eastern and southern portions of the site, separated by an approximately 17,000 square-foot landscaped plaza, and served by a central surface parking lot and ground-floor parking areas within the residential structure parking podiums. The Project includes demolition and removal of three existing vacant commercial buildings totaling 172,500 square feet of floor area and associated surface parking areas.

   The Project would be consistent with the uses, density, and development type envisioned by the General Plan Framework. The project site is currently developed with surface parking and three low-rise vacant commercial buildings, with an FAR of 0.5. The proposed project would be an in-fill development resulting in an FAR of 1.5:1, with building heights between one and seven stories, and comprised of a balanced mix of retail, restaurant, and residential uses. The project would intensify the use on the site and would providing a diverse mix of housing and employment to the area, consistent with the Regional Center designation of the site.

   The project is also consistent with and advances the following objectives and policies of the General Plan Framework:

   Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

The project will support Objectives 3.4 and 3.15 and Policy 3.4.1 by providing a high-density mixed-use residential and commercial development within Panorama City's Regional Center, with a focus on pedestrian amenities and in closer proximity to major thoroughfares and existing and future transit opportunities. The project will achieve Objective 3.10 through the addition of commercial space that will strengthen the economic base and opportunities for new businesses, by providing employment opportunities for the community. The Project's residential uses will also economically support commercial areas of the district. In addition, the Project accommodates Objective 3.16 through its pedestrian-oriented design and streetscape improvements, which include wide sidewalks, street trees, and pedestrian lighting.

2. **General Plan Land Use Designation.** The subject property is located within the Mission Hills – Panorama City – North Hills Community Plan, updated and adopted by the City Council on June 9, 1999. The Community Plan Map designates the property for Regional Commercial land uses and allows for corresponding zones of CR, C2, C4, RAS3, RAS4, R3, R4, R5, P and PB. The property is not subject to any Community Plan footnotes. The Project includes a request for Zone Change to create a uniform commercial zoning of (T)(Q)C2-1-CDO over the entire site, and a modification to conditions relating to signage, consistent with the Regional Commercial land use designation. This request would result in land use and zoning consistency, and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

3. **General Plan Text.** The Mission Hills - Panorama City - North Hills Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the project:

GOAL 1: *A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.*

Objective 1-1: *To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.*

Policy 1-1.4 *Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.*

Program: *The Plan includes an Urban Design Chapter which is supplemented by Design Guidelines and Standards for residential development.*

Objective 1-3 *To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.*

Policy 1-3.1 *Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.*

Policy 1-3.2 *Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposes.*

GOAL 2: *A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE PRESERVING THE UNIQUE COMMERCIAL AND CULTURAL CHARACTER OF THE COMMUNITY.*

Policy 2-1.1 *New commercial uses shall be located in existing established commercial areas or existing shopping centers.*

Policy 2-1.2 *Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.*

Objective 2-2 *To enhance the identity of distinctive commercial districts and to identify pedestrian oriented districts (PODs).*

Policy 2-2.1 *New development needs to add to and enhance the existing pedestrian street activity.*

Policy 2-2.2 *Ensure that commercial infill projects achieve harmony in design with the best of existing development.*

Objective 2-3 *To enhance the appearance of commercial districts.*

Policy 2-3.1 *Require that any proposed development be designed to enhance and be compatible with adjacent development.*

Policy 2-2.4 *Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented districts, incorporate retail and service oriented commercial uses.*

The project substantially conforms with the purpose, intent and provisions of the Community Plan. The proposed project will meet the above objectives and policies by providing additional commercial development that includes new residential units at an appropriate density and location to meet the plan area's needs, matching the density that was envisioned for the area by the Community Plan's Regional Commercial land use designation. The two residential buildings along the western portions of the site would continue the prominent pattern of R3-zoned multi-family development along Cedros Avenue, and the project's commercial spaces would be focused along the established Roscoe Boulevard commercial corridor and adjacent to the Panorama Mall and the Van Nuys Boulevard transit corridor. Each of the project's street frontages are designed with active ground-floor uses, such as residential lobbies and townhouse units along Cedros Avenue, and transparent commercial storefronts along Roscoe Boulevard and Tobias Street. Parking areas would be located internal to the site and would be appropriately screened from public view. In addition, an approximately 17,000 square-foot landscaped plaza along Tobias Street would create a central connection between the various components of the development and would enhance pedestrian activity within and around the project site. The building designs employ a cohesive thematic style, with variations in height, massing, and depth, and feature clear building entrances and access. Therefore, the proposed mixed-use residential and commercial development would be compatible with the existing neighborhood land use and character. Additionally, the project has been conditioned to improve the surrounding public right-of-ways, which will serve to enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood.

The Plan also sets standards for Urban Design, coupled with the recently adopted Residential Citywide Design Guidelines, which include the need for a pedestrian entrance at the front of each project, logical building access and circulation, centralized common open space areas, and for a building design of quality and character. The submitted site plan and building plans are consistent with these design standards. The street frontages include prominent pedestrian entrances to both the residential and commercial uses, access to vehicular and bicycle parking areas are convenient to the residents and visitors, adequate open space has been provided in the central plaza and within podium courtyards and community rooms of the residential buildings, and the building elevations are designed with variations in height, depth, and building materials to achieve an articulated façade.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the proposed C2 Zone and is consistent with the general plan land use designation.

Panorama City Community Design Overlay

The Project is also within the boundaries of the Panorama City Community Design Overlay (CDO), a part of the Community Plan. The intent of the CDO is to provide guidance and direction in the design of buildings and storefronts that will contribute to the district's

continuing revival by moving toward a more pedestrian friendly commercial center that contributes to community identity. The plan is implemented through [Q] condition standards and a design review process for project conformance with the CDO's design guidelines. The [Q] conditions prohibit auto-related uses, require direct pedestrian pathways from Van Nuys Boulevard, and limit building-mounted signage to two square feet per foot of building frontage. The design guidelines generally address site planning, architecture, building colors and materials, storefront design, lighting, and the screening of utilities. The Project will modify the [Q] conditions to allow additional signage along the building frontages internal to the site, and is otherwise consistent with [Q] conditions as it does not include any auto uses, creates a pedestrian connection to Van Nuys Boulevard, and will provide signage at an appropriate scale for the development. The Project also meets the intent of the design guidelines as it provides: site planning which lines the public streets with active uses and screens parking areas; features commercial storefronts and landscape elements that encourage pedestrian activity and provide key linkages within the Panorama City Center; and incorporates complementary architectural design and private and public open space amenities.

Mobility Plan 2035 and Panorama City Center Streetscape Plan

In addition to the street standards of the Mobility Plan 2035, the Panorama City Center Streetscape Plan provides guidelines and standards for improvements in the public right-of-way within the Panorama commercial center and along Van Nuys and Roscoe Boulevards. The principal objective of the Streetscape Plan is to facilitate a pedestrian-friendly environment and enhance the area's unique identity. The ICON at Panorama project would implement the following specific streetscape improvements adjacent to the project site: new street trees, widened sidewalks, enhancements to the existing crosswalk at the intersection of Tobias Avenue and Roscoe Boulevard, new street lighting, and short-term bicycle parking. The Project is consistent with the Mobility Plan street standards, as well as the goals of the Streetscape Plan, as it would install new streetscape features that would promote pedestrian activity and safety on the surrounding streets, while contributing to Panorama City's identity as the commercial center for the San Fernando Valley.

As demonstrated, the proposed mixed-use development is consistent with the General Plan Framework, Community Plan, land use designations, Community Design Overlay, Mobility 2035 Element, and Streetscape Plan. The project would redevelop the site currently comprised of vacant low-rise commercial buildings and surface parking areas and replace it with a mid-rise development consisting of an activated mix of residential, restaurant, and retail uses. The project would provide much needed residential housing and new commercial uses to serve the community. The proposal would also improve the economic vitality of the area by integrating a mix of uses in-line with Plan policies for redevelopment and growth in the Regional Center. The project design will further activate the adjacent street level areas, create an inviting pedestrian environment, and will create a unified aesthetic and signage program. In addition, public right-of-way improvements have been imposed as conditions of approval for the project, consistent with City street standards. Therefore, as conditioned, the proposed project is consistent with the General Plan and the proposed land use designation and will serve to implement the goals and objective of the adopted Community Plan.

B. ENTITLEMENT FINDINGS

1. ZONE CHANGE AND "T" AND "Q" CLASSIFICATION FINDINGS:

a) Pursuant to Section 12.32 of the Municipal Code, and based on these Findings, the recommended action is deemed consistent with the General Plan and is in conformity with public necessity, convenience, general welfare and good zoning practice.

The project site consists of approximately 8.9 acres of property, currently zoned in a "footprint zoning" style, restricting commercial uses to only the footprints of the existing buildings on the site, and otherwise limiting over half of the site for surface parking. Existing development on the site consists of three low-rise vacant commercial buildings, totaling 172,500 square feet of floor area. The current zoning places unnecessary restrictions on the site, limiting redevelopment to within the existing zoning footprints, resulting in an inefficient site design, and inhibiting activation of the street frontages by designating a majority of the site for surface parking, including the property's entire Cedros Avenue frontage.

Additionally, the [Q] conditions of the zone limit building-mounted signage to two square feet per foot of building frontage. While this standard is appropriate for commercial tenants with a building frontage along a public street, as is typical for most tenants in the Panorama City central business district, this restriction does not take into consideration large development sites that may have tenants with secondary entrances with additional needs for building identification off of interior drives.

In order to redevelop the Project site under a unified commercial designation, and to remove site restrictions for surface parking and signage, a zone change to the C2 Zone with modified Q conditions for signage is requested. The proposed C2 zoning is consistent with the existing and proposed Regional Commercial land use designation on the site, which allows for corresponding zones of CR, C2, C4, RAS3, RAS4, R3, R4, R5, P and PB. The proposed C2 Zone allows for general commercial uses, which include restaurants, retail stores, and health clubs, as well as multi-family residential and parking uses. The requested zone change would allow for development of the site under a cohesive set of zoning standards, rather than a bifurcated set of commercial and surface parking requirements.

The General Plan Framework identifies the Project Site as located within a Regional Center, generally characterized by a diversity of uses, with robust transit access, and by floor ratios ranging from 1.5:1 to 6:1 and building heights of six to 20 stories. The Community Plan's Regional Commercial land use designation for the site reiterates the 1.5:1 to 6:1 ratios for the site, and the proposed C2 Zone would allow for a 1.5:1 FAR. The project site is currently developed with vacant commercial buildings and surface parking, resulting in a low FAR of 0.5:1 for the site. The proposed project would be an in-fill development resulting in an FAR of 1.5:1, with building heights between one and seven stories, and comprised of a balanced mix of retail, restaurant, and residential uses. The project would intensify the use on the site and would provide a diverse mix of housing and employment to the area, consistent with the Regional Center designation and proposed zone for the site.

The context of the project has also been considered in the Zone Change request. The immediate vicinity of the Project Site is characterized by a mix of regional commercial, office, restaurant, and mid-rise residential uses, which includes the Panorama Mall and Plaza del Valle shopping centers. The zone change from [Q]P-1-CDO and [Q]C2-1-CDO to (T)(Q)C2-1-CDO constitutes good zoning practice in that it is in conformity with public necessity, convenience, and general welfare. The C2 Zone would allow for a use that would be consistent with the adjacent land uses, and would continue a pattern of low-rise commercial shopping center development along Roscoe Boulevard and adjacent to the Panorama Mall, and would maintain the multi-family residential character of Cedros Avenue.

The project is designed to bring over 600 residential units, active ground-floor commercial uses, several private and publically-accessible amenity spaces, and a host of streetscape and pedestrian improvements to the immediate area. The proposed project would enhance the built environment through the unified development of the site, and would include essential and beneficial uses through the synergetic balance of commercial and residential components within a transit-focused regional center. The project site is conveniently located within the heart of the San Fernando Valley, with immediate access to major streets, regional freeways, and existing and planned public transit. As an infill project, the development will have adequate capacity and connections to existing City services and infrastructure. There is a necessity for both commercial and residential uses to support the needs of the district, and the project will add new residents and workers immediately adjacent to a number of transit options. The project will also benefit the community, city, and region by activating the site within the regional center of Panorama City and contributing much-needed residential units and commercial uses in support of the City's goals for housing, economic development, and neighborhood connectivity. Therefore, the zone change is provided as part of public necessity and convenience and in the general welfare of the neighborhood. Furthermore, such zone and height district change would demonstrate good zoning practice by providing a harmonious density and land use activity for the vicinity.

The action, as recommended, has been made contingent upon compliance with the “(Q)” and “(T)” conditions imposed herein. Specific conditions and mitigation measures have been incorporated to address public improvements, building design and layout, sustainability measures, and environmental impacts, consistent with the General Plan Framework. Such limitations are necessary to protect the best interests of and to assure developments and improvements more compatible with surrounding properties, to secure an appropriate development in harmony with the General Plan, and to prevent or mitigate the potential adverse environmental effects of the subject recommended action.

The condition requiring EV-ready parking spaces (installed with chargers) on-site will support the adoption of low and zero emission transportation fuel sources by the project's occupants and visitors. This condition provides for the public welfare and public necessity by reducing the level of pollution or greenhouse gas emissions to the benefit of the neighborhood and City in response to General Plan Health and Wellness Element Policies 5.1 (reduce air pollution), 5.7 (reduce greenhouse gas emissions); Air Quality Element policy 4.2.3 (ensuring new development is compatible with alternative fuel vehicles), 5.1.2 (shift to non-polluting sources of energy in buildings and operations); Mobility Element Policy 4.1 (expand access to transportation choices) and 5.4 (encourage adoption of low emission fuel sources, new mobility technology and supporting infrastructure). The EV condition is also good zoning practice because it provides a convenient service amenity to the occupants or visitors who use electric vehicles. As such, the Project provides recreational and service amenities to improve habitability for the residents and to minimize impacts on neighboring properties.

2. MASTER CONDITIONAL USE (ON-SITE AND OFF-SITE ALCOHOL SALES)

a) The project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region.

The ICON at Panorama Project proposes a mixed-use development, consisting of 623 residential dwelling units and 60,000 square feet of active ground-floor commercial uses, comprised of retail establishments, restaurants, and a health club. The applicant is

requesting a Master Conditional Use Permit to permit the sale and dispensing of a full line of alcoholic beverages for both on- and off-site consumption. The proposal includes up to five (5) establishments to serve alcohol within the 42,000 square feet of retail and restaurant uses within the project site.

The surrounding built environment is substantially developed and urban in character. The immediate vicinity of the Project Site is characterized by a mix of regional commercial, office, and restaurant uses to the east and south, and mid-rise residential uses to the north and west. The proposal would concentrate the commercial and alcohol-sale components of the project on the eastern and southern portions of the site, adjacent to commercial areas and the Panorama Mall shopping center. New apartment buildings are to be developed on the northern and western portion of the site, acting as a buffer to adjacent residential areas.

Alcohol service will improve the viability and desirability of the food and entertainment businesses in the mixed-use shopping center. In addition, alcohol sales at a retail market will provide a service in close proximity to the businesses and residents within the neighborhood. The availability of alcohol sales for on- and off-site consumption is a desirable amenity that is typical of many restaurants and markets and would provide a beneficial service to the immediate community as well as to patrons of the shopping center.

b) *The project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.*

The ICON at Panorama Project proposes a mixed-use development, consisting of 623 residential dwelling units and 60,000 square feet of active ground-floor commercial uses, comprised of retail establishments, restaurants, and a health club. The applicant is requesting a Master Conditional Use Permit to permit the sale and dispensing of a full line of alcoholic beverages for both on- and off-site consumption. The proposal includes up to five (5) establishments to serve alcohol within the 42,000 square feet of retail and restaurant uses within the project site.

The location of the project’s alcohol-sale establishments follows an established pattern of orienting alcohol sales in commercial shopping centers, with all proposed establishments oriented along established commercial streets and adjacent to other shopping center, retail, office, and restaurant uses, and well-buffered from adjacent residential uses by surface parking areas, drive aisles, and a landscaped plaza. The use would continue to add to the diversification of commercial activities being conducted in the area and would not adversely affect the surrounding neighborhood. The proposed hours of operation are reasonable and the sale of alcohol is incidental to food sales at the restaurants and market.

No evidence was presented at the hearing or in writing that the sale of alcohol will be materially detrimental to the immediate neighborhood. This grant also includes conditions of approval intended to address alcohol-related issues to safeguard public welfare and enhance public convenience, such as proper employee training and outdoor security lighting. In addition, as each operator comes in, they will be required to file a plan approval to allow for the Zoning Administrator to review the floor plan, and impose any other conditions as deemed appropriate. Therefore, as conditioned, it is anticipated that the use will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or public health, welfare, and safety.

c) The project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

The proposed project and request for alcohol sales is in substantial conformance with the purposes, intent, and provisions of the General Plan. In addition, the project and requests are consistent with and implement policies in the Mission Hills – Panorama City – North Hills Community Plan, a component of the Land Use Element of the General Plan

The Community Plan text is silent with regards to alcohol sales. In such cases, the decision-maker must interpret the intent of the Plan. The proposed request for the sale of a full line of alcoholic beverages in conjunction with restaurants and markets is consistent with the commercial land use discussion of the Community Plan, including:

> ***GOAL 2:*** *A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE PRESERVING THE UNIQUE COMMERCIAL AND CULTURAL CHARACTER OF THE COMMUNITY.*
>
> ***Policy 2-1.1*** *New commercial uses shall be located in existing established commercial areas or existing shopping centers.*
>
> ***Policy 2-1.2*** *Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.*
>
> ***Policy 2-2.4*** *Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented districts, incorporate retail and service oriented commercial uses.*

The Plan encourages new uses, including retial and service-oriented uses, to be located in existing commercial areas or shopping centers, and requires compatibility with existing uses and development. The project incorporates new retail and service-oriented restaurant uses within a proposed mixed-use development within the Panorama City regional commercial center, and adjacent to compatible commercial uses such as the Panorama Mall shopping center. The sale of a full line of alcohol beverages for on- and off-site consumption will enhance the proposed businesses for the site, which include restaurant and retail market uses, will serve local residences and businesses, and will provide services and goods which complement the regional center commercial designation for the site. Therefore, as conditioned, the proposed project is consistent with the General Plan and the land use designation and will serve to implement the goals and objective of the adopted Community Plan.

Additional Findings Related to Alcohol Sales

d) The proposed use will not adversely affect the welfare of the pertinent community.

The project site is located within an areas which is designated for and developed with commercial uses. The proposed project will provide retail and restaurant uses serving alcoholic beverages that are contained in a secure environment. The approval of the conditional use will not adversely affect the welfare of the community. The subject property is zoned for commercial uses and will be redeveloped with a mixed-use commercial

development, with new residential buildings buffering the western and northern portions of the site adjacent to the nearby residential neighborhood. The proposed use will not adversely affect the economic welfare of the community, since a vibrant regional shopping center is anticipated to positively impact the financial health of the property and improve the economic vitality of the area via increases in taxable revenue and local employment. The dining and retail establishments will help to establish the site as a shopping and entertainment destination, containing a well-balanced mix of uses and services. Ample parking, lighting, security and supervision will be provided to ensure that there will be no adverse effect on the welfare of the surrounding community. Therefore, the proposed alcohol sales will not be materially detrimental to the character of the development in the neighborhood.

e) *The granting of the application will not result in an undue concentration of premises for the sale or dispensing for consideration of alcoholic beverages, including beer and wine, in the area of the City involved, giving consideration to applicable State laws and to the California Department of Alcoholic Beverage Control's guidelines for undue concentration; and also giving consideration to the number and proximity of these establishments within a one thousand foot radius of the site, the crime rate in the area (especially those crimes involving public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct), and whether revocation or nuisance proceedings have been initiated for any use in the area.*

The project is located within a Regional Center where a variety of uses are permitted and encouraged and an increased concentration of licenses is anticipated. In addition, the census tract in which the project is located is an active commercial area that is a destination point for many and where there is a demand and expectation for increased alcohol license issuances. According to the State of California Department of Alcoholic Beverage Control (ABC) licensing criteria, two (2) on-sale and one (1) off-sale licenses are allocated to subject Census Tract No. 1201.04. There are currently four (4) off-site licenses and no on-site licenses in this Census Tract.

The subject location is within a highly-developed regional commercial area which has a variety of event venues and retail establishments which have resulted in the existing off-site alcohol licenses to exceed the maximum number allocated. In these active commercial areas where there is a demand for licenses beyond the allocated number and where an over-concentration of licenses is suggested, the ABC has recognized that high-activity retail and commercial centers are supported by a significant employee population, in addition to the increasing resident population base in the area. The granting of an application for the sale or dispensing of alcoholic beverages can be undue when the addition of a license will negatively impact a neighborhood. It is not undue when approval of a license does not negatively impact an area, but rather such license benefits the public welfare and serves as a convenience. As support by the aforementioned facts, the project involves the granting of an application to sell and dispense alcoholic beverages in conjunction with a new mixed-use development will not adversely affect community welfare because restaurants and retail markets are desirable uses in an area designated for such uses. The new mixed-use development will provide a convenience to residents, workers, and visitors to Panorama City and as conditioned, will not negatively impact the area. The ABC has discretion to approve an application if there is evidence that normal operations will not be contrary to public welfare and will not interfere with the quiet enjoyment of property by residents.

It is not uncommon to have increased concentrations of crimes in a dense, urban area that is a regional known center and destination. According to statistics provided by the Los

Angeles Police Department's Central Division Vice Unit, within Crime Reporting District No. 1985, which has jurisdiction over the subject property, a total of 631 crimes and arrests were reported in 2017 (349 Part I Crimes and 282 Part II Arrests), qualifying as a "High Crime Reporting District" compared to the citywide average crimes of 191 offenses per reporting district for the same reporting period. Of the 631 total crimes and arrests reported for the census tract, 12 arrests were made for liquor laws, 34 arrests were made for under the influence of alcohol, and 19 arrests were made for driving under the influence, reported by LAPD.

However, given the project's location within a dense commercial and residential center, the census tract's crime statistics related to alcohol are minimal and the issuance of an additional licenses to serve alcohol on-site or off-site is not anticipated to create a law enforcement problem. Furthermore, the requested entitlement for alcohol sales that are incidental to a mixed-use development is not anticipated to adversely affect crime rates, given the nature of the use which will primarily involve alcohol being consumed by patrons in a controlled restaurant environment. As proposed by the submitted application and conditioned herein by the City, the requested application will be implemented with conditions intended to prevent public drinking, driving under the influence, and public drunkenness. Negative impacts commonly associated with the sale of alcoholic beverages, such as criminal activity, public drunkenness, and loitering are mitigated by the imposition of conditions requiring surveillance, responsible management and deterrents against loitering. The Los Angeles Police Department has stated support of the project, and the project has also included space on-site for a police substation (i.e., "drop-in office") for use by the LAPD. In addition, as part of the application process, the applicant's representative will meet with the Los Angeles Police Department, and review security, training, and other proposed conditions for the Project. The conditions will safeguard the welfare of the community. As conditioned, allowing the sale of a full line of alcoholic beverages for on-site and off-site consumption is not undue or anticipated to create a law enforcement issue.

The granting of an alcohol license for the project's proposed restaurant and retail uses will not result in an undue concentration of premises with such licenses. The granting of an application for the sale or dispensing of alcoholic beverages can be undue when the addition of a license will negatively impact a neighborhood. It is not undue when approval of a license does not negatively impact an area, but rather such license benefits the public welfare and serves as a convenience. As support by the aforementioned facts, the project involves the granting of an application to sell and dispense alcoholic beverages in conjunction with a service that will be a component of a new mixed-use development. The grant will be an accessory use to restaurant and retail spaces that will be an asset to the community and will not adversely affect the community welfare. As a result, the instant grant will not result in an undue concentration of such licenses.

f) *The proposed use will not detrimentally affect nearby residentially zoned communities in the area of the City involved, after giving consideration to the distance of the proposed use from residential buildings, churches, schools, hospitals, public playgrounds and other similar uses, and other establishments dispensing, for sale or other consideration, alcoholic beverages, including beer and wine.*

The project site is adjacent to a residential neighborhood to the north and west, and includes plans for new multi-family residences and a landscape plaza on-site. Within 1,000 feet of the site, there are several educational facilities and religious institutions, including: Michelle Obama Elementary School (8150 N. Cedros Ave.); Panorama City Branch Library (14345 Roscoe Blvd.), Imam Bukhari Masjid (8741 Van Nuys Blvd.), and Ministerios Evangeliscos

una Zara Ardiente (14649 Titus St.). The proposal would concentrate the commercial and alcohol-sale components of the project on the eastern and southern portions of the site, adjacent to commercial areas and the Panorama Mall shopping center. New apartment buildings are to be developed on the northern and western portion of the site, acting as a buffer to adjacent residential areas, and which are additionally buffered by commercial surface parking areas, driveways, and a landscaped plaza. In addition, this grant has placed numerous conditions on the proposed project, such as a proper site maintenance, security lighting, employee training, and a time limitation on the grant, in order to eliminate or minimize any potentially detrimental effects on adjacent uses.

3. SITE PLAN REVIEW

a) The project is in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan.

The proposed zone change is in substantial conformance with the purposes, intent, and provisions of the General Plan. In addition, the proposed land use ordinance is consistent with and implements policies in the Mission Hills – Panorama City – North Hills Community Plan, a component of the Land Use Element of the General Plan:

Framework Element. The General Plan Framework sets forth a citywide comprehensive long-range growth strategy and defines citywide policies regarding such issues as land use, housing, urban form, neighborhood design, open space, economic development, transportation, infrastructure, and public services. The Framework's Long Range Diagram identifies the Project Site identifies the site, along with adjacent commercial areas along the west side of Van Nuys Boulevard, as a Regional Center and as a focal point of regional commerce, identity, and activity. Regional Centers typically contain a diversity of uses, act as transportation hubs, and fall within a range of floor ratios from 1.5:1 to 6:1, characterized by building heights of six to 20 stories.

The ICON at Panorama Project involves a mixed-use development consisting of up to 623 multi-family residential units and approximately 60,000 square feet of commercial uses, located within four buildings totaling approximately 572,000 square-feet of floor area on an 8.9-acre site. Two six- and seven-story residential buildings (four or five stories of residential over two levels of above-ground parking) would be located along the western, northern, and central portions of the site. Commercial uses would be located within two separate one-story buildings on the eastern and southern portions of the site, separated by an approximately 17,000 square-foot landscaped plaza, and served by a central surface parking lot and ground-floor parking areas within the residential structure parking podiums. The Project includes demolition and removal of three existing vacant commercial buildings totaling 172,500 square feet of floor area and associated surface parking areas.

The Project would be consistent with the uses, density, and development type envisioned by the General Plan Framework. The project site is currently developed with surface parking and three low-rise vacant commercial buildings, with an FAR of 0.5. The proposed project would be an in-fill development resulting in an FAR of 1.5:1, with building heights between one and seven stories, and comprised of a balanced mix of retail, restaurant, and residential uses. The project would intensify the use on the site and would providing a diverse mix of housing and employment to the area, consistent with the Regional Center designation of the site.

The project is also consistent with and advances the following objectives and policies of the General Plan Framework:

Objective 3.4: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1: Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

Objective 3.15: Focus mixed commercial/residential uses, neighborhood-oriented retail, employment opportunities, and civic and quasi-public uses around urban transit stations, while protecting and preserving surrounding low-density neighborhoods from the encroachment of incompatible land uses.

Policy 3.15.3: Increase the density generally within one quarter mile of transit stations, determining appropriate locations based on consideration of the surrounding land use characteristics to improve their viability as new transit routes and stations are funded in accordance with Policy.

Objective 3.16: Accommodate land uses, locate and design buildings, and implement streetscape amenities that enhance pedestrian activity.

The project will support Objectives 3.4 and 3.15 and Policy 3.4.1 by providing a high-density mixed-use residential and commercial development within Panorama City's Regional Center, with a focus on pedestrian amenities and in closer proximity to major thoroughfares and existing and future transit opportunities. The project will achieve Objective 3.10 through the addition of commercial space that will strengthen the economic base and opportunities for new businesses, by providing employment opportunities for the community. The Project's residential uses will also economically support commercial areas of the district. In addition, the Project accommodates Objective 3.16 through its pedestrian-oriented design and streetscape improvements, which include wide sidewalks, street trees, and pedestrian lighting.

General Plan Land Use Designation. The subject property is located within the Mission Hills – Panorama City – North Hills Community Plan, updated and adopted by the City Council on June 9, 1999. The Community Plan Map designates the property for Regional Commercial land uses and allows for corresponding zones of CR, C2, C4, RAS3, RAS4, R3, R4, R5, P and PB. The property is not subject to any Community Plan footnotes. The Project includes a request for Zone Change to create a uniform commercial zoning of

(T)(Q)C2-1-CDO over the entire site, and a modification to conditions relating to signage, consistent with the Regional Commercial land use designation. This request would result in land use and zoning consistency, and is in substantial conformance with the purposes, intent and provisions of the General Plan as reflected in the adopted Community Plan.

General Plan Text. The Mission Hills - Panorama City - North Hills Community Plan, a part of the Land Use Element of the City's General Plan, states the following objectives and policies that are relevant to the project:

GOAL 1: *A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE COMMUNITY.*

Objective 1-1: *To provide for the preservation of existing housing and for the development of new housing to meet the diverse economic and physical needs of the existing residents and projected population of the Plan area to the year 2010.*

Policy 1-1.4 *Protect the quality of the residential environment through attention to the appearance of communities, including attention to building and site design.*

Program: *The Plan includes an Urban Design Chapter which is supplemented by Design Guidelines and Standards for residential development.*

Objective 1-3 *To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.*

Policy 1-3.1 *Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.*

Policy 1-3.2 *Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposes.*

GOAL 2: *A STRONG AND COMPETITIVE COMMERCIAL SECTOR WHICH BEST SERVES THE NEEDS OF THE COMMUNITY THROUGH MAXIMUM EFFICIENCY AND ACCESSIBILITY WHILE PRESERVING THE UNIQUE COMMERCIAL AND CULTURAL CHARACTER OF THE COMMUNITY.*

Policy 2-1.1 *New commercial uses shall be located in existing established commercial areas or existing shopping centers.*

Policy 2-1.2 *Require that projects be designed and developed to achieve a high level of quality, distinctive character, and compatibility with existing uses and development.*

Objective 2-2 *To enhance the identity of distinctive commercial districts and to identify pedestrian oriented districts (PODs).*

Policy 2-2.1 *New development needs to add to and enhance the existing pedestrian street activity.*

Policy 2-2.2 *Ensure that commercial infill projects achieve harmony in design with the best of existing development.*

Objective 2-3 *To enhance the appearance of commercial districts.*

Policy 2-3.1 *Require that any proposed development be designed to enhance and be compatible with adjacent development.*

Policy 2-2.4 *Require that the first floor street frontage of structures, including mixed use projects and parking structures located in pedestrian oriented districts, incorporate retail and service oriented commercial uses.*

The project substantially conforms with the purpose, intent and provisions of the Community Plan. The proposed project will meet the above objectives and policies by providing additional commercial development and housing at an appropriate density and location to meet the plan area's needs, matching the density that was envisioned for the area by the Community Plan's Regional Commercial land use designation. The two residential buildings along the western portions of the site would continue the prominent pattern of R3-zoned multi-family development along Cedros, and commercial spaces would be focused along the established Roscoe Boulevard commercial corridor and adjacent to the Panorama Mall and the Van Nuys Boulevard transit corridor. Each street frontage would be designed with active ground-floor uses, such as residential lobbies and townhouse units along Cedros Avenue, and transparent commercial storefronts along Roscoe Boulevard and Tobias Street. Parking areas would be located internal to the site and would be appropriately screened from public view. In addition, an approximately 17,000 square-foot landscape plaza along Tobias Street would create a central connection between the various components of the development and would enhance pedestrian activity in and around the project site. The building designs employ a cohesive thematic style, with variations in height, massing, and depth, and feature clear building entrances and access. Therefore, the proposed mixed-use residential and commercial development would be compatible with the existing neighborhood land use and character. Additionally, the project has been conditioned to improve the surrounding public right-of-ways, which will serve to enhance the roadways, sidewalks, and street lighting along the site and provide for better connectivity within the neighborhood.

The Plan also sets standards for Urban Design, coupled with the recently adopted Residential Citywide Design Guidelines, which include the need for a pedestrian entrance at the front of each project, logical building access and circulation, centralized common open space areas, and for a building design of quality and character. The submitted site plan and building plans are consistent with these design standards. The street frontages include prominent pedestrian entrances to both the residential and commercial uses, access to vehicular and bicycle parking areas is convenient to the residents and visitors, adequate open space has been provided in the central plaza and within podium courtyards and community rooms of the residential buildings, and the building elevations are designed with variations in height, depth, and building materials to achieve an articulated façade.

Therefore, as conditioned, the recommended development meets the objectives of the Community Plan, is permitted in the proposed C2 Zone and is consistent with the general plan land use designation.

Panorama City Community Design Overlay

The Project is also within the boundaries of the Panorama City Community Design Overlay (CDO), a part of the Community Plan. The intent of the CDO is to provide guidance and direction in the design of buildings and storefronts that will contribute to the district's continuing revival by moving toward a more pedestrian friendly commercial center that contributes to community identity. The plan is implemented through [Q] condition standards and a design review process for project conformance with the CDO's design guidelines. The [Q] conditions prohibit auto-related uses, require direct pedestrian pathways from Van Nuys Boulevard, and limit building-mounted signage to two square feet per foot of building frontage. The design guidelines generally address site planning, architecture, building colors and materials, storefront design, lighting, and the screening of utilities. The Project will modify the [Q] conditions to allow additional signage along the building frontages internal to the site, and is otherwise consistent with [Q] conditions as it does not include any auto uses, creates a pedestrian connection to Van Nuys Boulevard, and will provide signage at an appropriate scale for the development. The Project also meets the intent of the design guidelines as it provides: site planning which lines the public streets with active uses and screens parking areas; features commercial storefronts and landscape elements that encourage pedestrian activity and provide key linkages within the Panorama City Center; and incorporates complementary architectural design and private and public open space amenities.

Mobility Plan 2035 and Panorama City Center Streetscape Plan

In addition to the street standards of the Mobility Plan 2035, the Panorama City Center Streetscape Plan provides guidelines and standards for improvements in the public right-of-way within the Panorama commercial center and along Van Nuys and Roscoe Boulevards. The principal objective of the Streetscape Plan is to facilitate a pedestrian-friendly environment and enhance the area's unique identity. The ICON at Panorama project would implement the following specific streetscape improvements adjacent to the project site: new street trees, widened sidewalks, enhancements to the existing crosswalk at the intersection of Tobias Avenue and Roscoe Boulevard, new street lighting, and short-term bicycle parking. The Project is consistent with the Mobility Plan street standards, as well as the goals of the Streetscape Plan, as it would install new streetscape features that would promote pedestrian activity and safety on the surrounding streets, while contributing to Panorama City's identity as the commercial center for the San Fernando Valley.

As demonstrated, the proposed mixed-use development is consistent with the General Plan Framework, Community Plan, land use designations, Community Design Overlay, Mobility 2035 Element, and Streetscape Plan. The project would redevelop a site that is currently comprised of vacant low-rise commercial buildings and surface parking areas and replace it with a mid-rise development consisting of an activated mix of residential, restaurant, and retail uses. The project would provide much needed residential housing and new commercial uses to serve the community. The proposal would also improve the economic vitality of the area by integrating a mix of uses in-line with Plan policies for redevelopment and growth in the Regional Center. The project design will further activate the adjacent street level areas, create an inviting pedestrian environment, and will create a unified aesthetic and signage program. In addition, public right-of-way improvements have been imposed as conditions of approval for the project, consistent with City street standards. Therefore, as conditioned, the proposed project is consistent with the General Plan and the

proposed land use designation and will serve to implement the goals and objective of the adopted Community Plan.

b) *The project consists of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that is or will be compatible with existing and future development on adjacent properties and neighboring properties.*

The project site is located approximately 900 feet west of the intersection of Roscoe Boulevard and Van Nuys Boulevard within the Mission Hills – Panorama City – North Hills Community Plan. The approximately nine-acre site is currently developed with three vacant commercial buildings totaling 172,500 square feet of floor area. Adjacent properties to the south across Roscoe Boulevard are developed with two-story multi-family residential buildings and a two-story retail and office center. Property to the east across Tobias Avenue is developed with a two-story Wal-Mart, the Panorama Mall Shopping Center and a fast-food drive-through restaurant and associated surface parking. An application has been filed with the Department of City Planning for a proposed 266,000 square-foot expansion of the Panorama Mall, to include new retail and restaurant uses, a new movie theater, and a hotel with up to 120 guest rooms. Property to the north is developed with two- to four-story multi-family residential buildings and parking. Property to the west across Cedros Avenue is developed with two- to four-story multi-family residential buildings.

The project would develop the site with 623 multi-family residential units above two levels of above-grade parking. The project will also include 60,000 square feet of ground-floor commercial space with associated surface and structured parking and landscaping that includes a 17,000 square foot landscaped plaza. The residential uses would be housed within two separate buildings, with one building spanning the entire frontage of the site along Cedros Avenue, and the other residential building positioned within the central portion of the site, overlooking the public plaza on Tobias Avenue. Both buildings would reach six- and seven-stories in height, with four and five stories of residential uses over two levels of podium parking. Commercial uses would be located within two separate one-story buildings, fronting on Roscoe Boulevard and Tobias Avenue, located on the eastern and southern portions of the site. The two commercial buildings would be separated by a landscaped plaza and served by a central surface parking lot and a ground-floor podium parking area below one of the residential structures.

The Project would be compatible with the existing and adjacent uses. Residential structures along Cedros Avenue would be sited along the western and the northern end of the proposed development adjacent to existing multi-family residential uses. Residential lobbies and entrances off Cedros Avenue and Roscoe Boulevard would be connected to the existing sidewalk network. Fenestration and balconies fronting on Cedros Avenue would promote a safe residential environment. Ground-floor commercial uses would incorporate transparent and active storefront designs on both public streets and towards the interior parking area and landscaped plaza to create a pedestrian oriented retail environment. Access to parking, services and fire safety lanes have been consolidated to minimize impacts on existing streetscapes and to minimize impacts to existing street parking. The following project elements were designed in a manner which is compatible with both existing and future developments in the area:

A. <u>Building Design</u>. The commercial and residential buildings' proposed design would be consistent with the design policies set forth in the Citywide Design Guidelines, Community Design Overlay and Walkability Checklist. The building elevations utilize a

variety of architectural features, building materials and changes in depth and color to break up massing and create a consistent architectural theme for the development. The podium parking levels would be wrapped with residential dwelling units along Cedros Avenue, as well as additional screening via proposed commercial buildings and landscaping. Thus, visibility of the parking levels will be minimal from the public rights-of-way. Fenestration and balconies front on Cedros Avenue to promote a safe residential environment. Commercial uses incorporate storefront designs on both public streets and interior pathways to enhance a pedestrian-oriented retail environment.

B. Height/Bulk. The tallest proposed residential building reaches approximately 85 feet and seven stories, including two stories of podium parking below the residential uses. The commercial uses are approximately 20 feet in height and one story. The proposed height of the buildings is consistent with both residential and commercial development in the immediate area. To the north and west where the taller residential buildings are located, the surrounding residential buildings are between two to four stories in height, many with parking located at the ground floor. The proposed commercial component of the project would mirror the height of the adjacent one- and two-story Panorama Mall shopping center to the east and commercial buildings to the south. Taller buildings are also located within the Panorama City center, including a six-story office building one block east of the site at the intersection of Van Nuys Boulevard and Roscoe Boulevard, and a thirteen-story live/work tower located two blocks south of the site. A proposed Panorama Mall expansion filed with the City anticipates buildings up to seven stories in height adjacent to the project. As a whole, the Project is of similar size and massing to existing and planned buildings in the immediate vicinity.

C. Setbacks. The project will comply with the requirements of the Municipal Code and the sidewalk, setback, and streetscape guidelines of the Citywide Design Guidelines, Panorama City Streetscape Plan, and Community Design Overlay. Ground floor treatments also include active retail uses, prominent entryways, and pedestrian-scaled architecture. Adequate separation distances will be maintained between all buildings within and adjacent to the site.

D. Off-Street Parking. Residential and commercial parking for the project will be accommodated on-site in accordance with the requirements of the Municipal Code, and will be consolidated within two podium levels of the residential buildings. Additional off-street parking for commercial uses is provided via central surface parking areas. The parking facilities will be screened with architectural and landscape elements, and are located so as to maintain active pedestrian environments along the ground-level building frontages. Bicycle parking is also provided in accordance with the Municipal Code, and includes visible short-term bicycle along building frontages, as well as secure and accessible long-term bicycle parking facilities for residents within the parking levels.

E. Loading. Any loading or noise-generating back-of-house uses are located away from the landscaped plaza, main pedestrian walkways, and public streets as feasible. Mechanical equipment and utilities are also appropriately screened within the building without detracting from the usability and active street presence of the development. Access to parking, services and fire safety lanes have been consolidated to minimize impacts on existing streetscapes and to minimize impacts to existing street parking

F. Lighting. Implementation of the project will introduce new light sources within the project site, including streetlights, interior building lighting, exterior security lighting, exterior architectural lighting, and sign lighting. However, the proposed lighting is typical of

commercial projects and is not expected to create unusually high levels of light. All areas of the Project site not covered by the building will have night lighting for safety and security. Open exterior areas such as walkways and landscaped areas will have low-level security type lighting. Outdoor lighting sources will be shielded away from adjacent uses to minimize impacts.

G. Landscaping. Open space for the project is concentrated on the third floor, and includes swimming pools, courtyards, landscaping, and various amenity spaces. Landscaping for the site includes native and drought-tolerant plantings that will complement the building style and design, to include: street trees within the public right-of-way and accenting planters. A landscaped plaza separating the commercial uses along Tobias Avenue is also proposed. The park will include landscaped ground cover, trees for shading, and seating.

H. Trash Collection. The project is conditioned to enclose all tenant trash containers from view and has incorporated trash collection features into building designs. Trash receptacles will also be provided throughout the open areas of the Project. The Project will include a recycling area or room for the collection of glass, cans, paper and plastic recyclable materials. Trash and recycling facilities will be kept secure from unauthorized entry.

c) The residential project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

The Project will result in the creation of new residential and commercial uses on a site that is currently developed with vacant buildings while minimizing impacts on neighboring properties. The mixed-use development would provide residential open space areas within private balconies for each unit, as well as a number of common open space areas dispersed throughout the residential complex. Common open space areas would be primarily concentrated on the third floor podium rooftop, within four outdoor courtyard areas, each approximately 6,000 square feet in size. Four adjacent indoor amenity spaces would also located on the third floor, averaging 1,500 square feet each. Additional outdoor rooftop sundecks would be located on the third, sixth, and seventh floors, each providing 1,000 square feet of open space. In total, the project would provide 64,357 square feet of residential open space, consisting of 33,207 square feet of common open areas and 31,150 square feet of private balconies. In addition, an approximately 17,000 square-foot landscaped plaza would be provided within the commercial component of the project.

The Project is located in an urbanized setting, in a developed regional commercial center, which attracts a substantial working and visiting population. The Project would also provide service amenities such as destination retail and dining offerings available to residents, local customers, visitors, and transit users. Therefore, the Project provides recreational and service amenities to improve habitability for its residents and minimize impacts on neighboring properties.

4. COMMUNITY DESIGN OVERLAY

a) The project substantially complies with the adopted Community Design Guidelines and Standards

The ICON at Panorama Project involves a mixed-use development consisting of up to 623 multi-family residential units and approximately 60,000 square feet of ground-floor

commercial uses, located within four buildings totaling approximately 572,000 square-feet of floor area on an 8.9-acre site. Two six- and seven-story residential buildings (four or five stories of residential over two levels of above-ground parking) would be located along the western, northern, and central portions of the site. Commercial uses would be located within two separate one-story buildings on the eastern and southern portions of the site, separated by an approximately 17,000 square-foot landscaped plaza, and served by a central surface parking lot and ground-floor parking areas within the residential structure parking podiums.

The project complies with the following *Site Planning* Design Guidelines and Standards: Guideline 1: Building Setback, Guideline 2: Pedestrian Entrance, Guideline 3: Parking, Guideline 6: Accessibility and Guideline 7: Automobile Ingress/Egress. The proposed residential and commercial buildings would be pedestrian-oriented with transparent/active storefronts and proposed streetscape improvements such as street trees, street lighting, new pedestrian crossings and a landscaped plaza area Tobias Avenue. Landscaped walkways throughout the project site would allow for pedestrian connectivity between uses and the existing public realm. The podium parking levels will be wrapped with residential dwelling units along Cedros Avenue, as well as additional screening via proposed commercial buildings and landscape plantings.

The project would also comply the following provisions of the *Architecture – Building Composition* Design Guidelines and Standards: Guideline 8: Wall Openings, Guideline 9: Rhythm, Guideline 10: Building Design, Guideline 11: Roof Lines, Guideline 12: Façades, Guideline 18: Exterior Surface Materials, and Guideline 19: Complementary Building Materials. The building elevations utilize a variety of architectural features, building materials and changes in depth and color to break up massing and create a consistent architectural theme for the development. The commercial buildings would be pedestrian-scaled to provide adequate visibility into the storefronts and would be delineated with varying paint colors frontages.

The project complies with the provisions of Guideline 5: Landscaping of the Design Guidelines by adding new trees and potted plantings with a variety in plant type and size throughout the project site, recreational amenities, and the 17,000 square foot landscaped plaza.

The project complies with the provisions of Guidelines 15-17: Screening and Equipment and Utilities by screening all rooftop equipment and locating electrical transformer boxes and trash areas within screened areas not visible from public views.

The project complies with the provisions of Guidelines 23-26: Window, Door and Façade Transparency by requiring conditions that prohibit the blocking out of windows and that ensure minimum transparency and light flow for the pedestrian entranceway doors and windows.

As demonstrated, the Project complies with the guidelines and standards of the Panorama City Community Design Overlay.

b) *The structures, site plan, and landscaping are harmonious in scale and design with existing development and any cultural, scenic, or environmental resources adjacent to the site and in the vicinity.*

Surrounding commercial buildings to the east consist of a two-story Wal-Mart, the Panorama Mall shopping center and a fast-food drive-through restaurant and associated surface

parking. Adjacent properties to the south across Roscoe Boulevard are developed with two-story multi-family residential buildings and a two-story retail and office center. Structures to the north and west of the Project Site include two-story and four-story multi-family residential buildings. Surrounding development is characterized by varying styles of architecture without a strong or cohesive architectural theme. The proposed scale of the building would be consistent with development in the vicinity of the project site, including larger-scale commercial buildings along the commercial corridor of Van Nuys Boulevard to the east. The proposed Project would create a new streetscape program that would promote pedestrian activity on surrounding streets as well as incorporate street and sidewalk improvements aimed at promoting safe and accessible public spaces and contributing to the Panorama City Center's identity as the commercial center for the San Fernando Valley. Additionally, the site is not adjacent to, or in the vicinity of, any recognized and/or known cultural, scenic, or environmental resources.

5. DIRECTOR'S DECISION FOR OPEN SPACE REDUCTION

a) The open space provided confirms with the objectives of the Open Space requirements for six or more dwelling units.

The ICON at Panorama Project involves a mixed-use development consisting of up to 623 multi-family residential units and approximately 60,000 square feet of commercial uses, located within four buildings totaling approximately 572,000 square-feet of floor area on an 8.9-acre site. Two six- and seven-story residential buildings (four or five stories of residential over two levels of above-ground parking) would be located along the western, northern, and central portions of the site. Commercial uses would be located within two separate one-story buildings on the eastern and southern portions of the site, separated by an approximately 17,000 square-foot landscaped plaza, and served by a central surface parking lot and ground-floor parking areas within the residential structure parking podiums.

The project has requested relief from the residential open space requirements of the Municipal Code. LAMC Section 12.21.G requires that residential developments in excess of six units provide 100 square feet of open space for units with less than three habitable rooms, 125 square feet of open space for units with three habitable rooms and 175 square feet of open space for units with more than three habitable rooms. According to the proposed housing unit mix, the project would be required to provide a minimum of 67,950 square feet of open space for residents, including at least 33,975 square feet of common open space.

The mixed-use development would provide residential open space areas within private balconies for each unit, as well as a number of common open space areas dispersed throughout the residential complex. Common open space areas would be primarily concentrated on the third floor podium rooftop, within four outdoor courtyard areas, each approximately 6,000 square-feet in size. Four adjacent indoor amenity spaces would also located on the third floor, averaging 1,500 square-feet each. Additional outdoor rooftop sundecks would be located on the third, sixth, and seventh floors, each providing 1,000 square feet of open space. In total, the project would provide 64,357 square feet of residential open space (3,593 square feet or 5.3% less than required), consisting of 33,207 square feet of common open areas and 31,150 square feet of private balconies. In addition, an approximately 17,000 square-foot landscaped plaza would be provided within the commercial component of the project, although it would not qualify in counting towards the residential open space requirement.

The Municipal Code permits up to a 10 percent reduction in the total required usable open space, given that any reduction is to the common open space portion only. In consideration of the numerous residential open space amenities proposed on-site and the residents' available access to the adjacent commercial landscaped plaza, the overall project would meet the intent of the open space requirements of the Code and the technical reduction in residential open space should be granted.

b) The proposed project complies with the total usable open space requirements.

Common open space provided in the residential component of the Project shall otherwise comply with the requirements 12.21 G.2(a), which require common open space to be open to the sky, except up to 25 percent of the total open may be provided as indoor recreation rooms of at least 600 square feet in area. The Project will also meet the LAMC requirement that a minimum of 25 percent of the common open space to be planted with ground cover, shrubs or trees. Furthermore, when combined with the common open provided in the commercial component of the Project, the Project will provide an excess of common open space than what is required by code. Therefore, the Project complies with the total usable open space requirements.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

I. INTRODUCTION

1. INTRODUCTION

1.1 BACKGROUND

The City of Los Angeles (the "City") has evaluated the environmental impacts of implementation of the ICON at Panorama project by preparing an environmental impact report ("EIR") (Case Number ENV-2016-1061-EIR/State Clearinghouse No. 2016081031). The EIR was prepared in compliance with the California Environmental Quality Act of 1970, Public Resources Code Section 21000 et seq. (CEQA) and the California Code of Regulations Title 15, Chapter 6 (the "CEQA Guidelines"). The findings discussed in this document are made relative to the conclusions of the EIR.

The EIR analyzed the project as originally proposed by the project applicant (referred to here as the "Original Project"), as well as a series of alternatives to the Project. A comment letter was submitted in response to the public circulation of the Draft EIR, which contended that the cumulative traffic analysis of the Original Project was deficient and did not address the 266,000 square-foot commercial expansion of the adjacent Panorama City Mall, located at 8401 N. Van Nuys Boulevard, as a related project. An application for the Panorama Mall expansion was received by the City on February 13, 2017, six months after the issuance of the Notice of Preparation for the ICON Project. The Draft EIR adequately analyzed cumulative impacts based on assumptions of ambient growth rates and all other closely related past, present, and reasonably foreseeable probable future projects known at the time of the issuance of the NOP, the established baseline condition and environmental setting. The Panorama Mall expansion project had not yet been proposed at that time and was not reasonably foreseeable, and was therefore not included in the analysis. Moreover, a Lead Agency has the ability to set a

reasonable cut-off date to determine baseline conditions and is not required to continuously update these conditions or a list of related projects.

The City, in its discretion, decided it reasonable to update the baseline to include the Panorama Mall expansion as a related project based on the size, scope, and location of that project. The City prepared a revised traffic analysis that included the additional related project, which identified a new additional significant traffic impact that would result from the Original Project. Accordingly, the City recirculated the Draft EIR for an additional public review period, as required by CEQA. The Project Applicant and City also identified an additional project alternative, a reduced project labeled Alternative 5, which would have less commercial floor area and more residences than the Original Project, and would avoid the additional significant traffic impact of the Original Project. The City has selected a further reduced project that is a similar but reduced version of Alternative 5 (referred to as the "Revised Project"). The approved project is referred to in these Findings as "Revised Project." The term "Project" is used in these Findings for statements that are equally applicable to the Original Project, Alternative 5, and the Revised Project; where a statement applies specifically only to the Original Project, Alternative 5, or the Revised Project, the more specific terminology is used.

CEQA Section 21002 provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects." CEQA Section 21002 goes on to state that "in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof."

The mandate and principles announced in CEQA Section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. (See CEQA Section 21081[a]; CEQA Guidelines Section 15091[a].) For each significant environmental impact identified in an EIR for a proposed project, the approving agency must issue a written finding, based on substantial evidence in light of the whole record, reaching one or more of the three possible findings, as follows:

1) Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR.

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been, or can or should be, adopted by that other agency.

3) Specific economic, legal, social, technological, other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the EIR.

The findings reported in the following pages incorporate the facts and discussions of the environmental impacts that are found to be significant in the Final Environmental Impact Report for the project as fully set forth therein. Although Section 15091 of the CEQA Guidelines does not require findings to address environmental impacts that an EIR identifies as merely "potentially significant", these findings nevertheless fully account for all such effects identified in

the Final EIR for the purpose of better understanding the full environmental scope of the Project. For each environmental issue analyzed in the EIR, the following information is provided:

The findings provided below include the following:

- Description of Significant Effects - A description of the environmental effects identified in the EIR.
- Project Design Features - A list of the project design features or actions that are included as part of the Project.
- Mitigation Measures - A list of the mitigation measures that are required as part of the Project to reduce identified significant impacts.
- Finding - One or more of the three possible findings set forth above for each of the significant impacts.
- Rationale for Finding - A summary of the rationale for the finding(s).
- Reference - A reference of the specific section of the EIR which includes the evidence and discussion of the identified impact.

With respect to a project for which significant impacts are not avoided or substantially lessened either through the adoption of feasible mitigation measures or feasible environmentally superior alternatives, a public agency, after adopting proper findings based on substantial evidence, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons why the agency found that the project's benefits rendered acceptable its unavoidable adverse environmental effects. (CEQA Guidelines §15093, 15043[b]; see also CEQA § 21081[b].)

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at City Hall, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

1.2 RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings, the Record of Proceedings for the Project includes (but is not limited to) the following documents and other materials that constitute the administrative record upon which the City approved the Revised Project. The following information is incorporated by reference and made part of the record supporting these Findings of Fact:

- All Project plans and application materials including supportive technical reports;

- The Draft EIR and Appendices (April 2017), Revised Draft EIR (August 2017), and Final EIR and Appendices (February 2018), and all documents relied upon or incorporated therein by reference;

- The Staff Recommendation Report and Staff Responses addressing the appeal of the EIR filed by Southwest Regional Council of Carpenters and LiUNA Local 300, and all documents relied upon or incorporated therein by reference;

- The Mitigation Monitoring Program (MMP) prepared for the Project;

- The City of Los Angeles General Plan and related EIR*;*

- The Southern California Association of Governments (SCAG)'s 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) and related EIR (SCH No. 2015031035);

- Municipal Code of the City of Los Angeles, including but not limited to the Zoning Ordinance and Subdivision Ordinance;

- All records of decision, resolutions, staff reports, memoranda, maps, exhibits, letters, minutes of meetings, summaries, and other documents approved, reviewed, relied upon, or prepared by any City commissions, boards, officials, consultants, or staff relating to the Project;

- Any documents expressly cited in these Findings of Fact, in addition to those cited above; and

- Any and all other materials required for the record of proceedings by Public Resources Code Section 21167.6(e).

Pursuant to CEQA Section 21081.6(a)(2) and CEQA Guidelines Section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City has based its decision are located in and may be obtained from the Department of City Planning, as the custodian of such documents and other materials that constitute the record of proceedings, located at City Hall, 200 North Spring Street, Room 750, Los Angeles, CA 90012.

2. PROJECT DESCRIPTION

2.1 ENVIRONMENTAL SETTING

The Project is located in the Panorama City area of the central San Fernando Valley in the City of Los Angeles. Regional access to the Project Site is provided via Roscoe Boulevard, Van Nuys Boulevard, State Route 170 (SR-170), and the San Diego Freeway (I-405). The nearest freeway access is the San Diego Freeway via Roscoe Boulevard, approximately 1.1 miles west from the Project Site. Local access to the Project Site is provided via Roscoe Boulevard, Tobias Avenue, and Cedros Avenue. The addresses for the Project Site are 14651-14697 W. Roscoe Boulevard, 8300-8406 N. Cedros Avenue, and 8313-8413 N. Tobias Avenue. The Project Site is approximately 8.9 acres and is bound by Roscoe Boulevard to the south, Tobias Avenue to the east, Cedros Avenue to the west, and existing multi-family residences to the north. Existing land uses within the Project Site include three commercial structures totaling approximately 172,500 square feet of floor area and a surface parking area. All of the existing structures have been unoccupied since 2003, and a chain-link fence surrounds the Project Site. A Montgomery Ward store, an automobile repair shop, and a restaurant formerly occupied the buildings. An existing public alley runs from Chase Street southward through the Project Site.

2.2 PROJECT CHARACTERISTICS

The Project includes the demolition of the existing structures and surface parking lot, and the development of a mixed-use project with multi-family residences, commercial space, and associated parking facilities. The Project includes commercial land uses in one- and two-story buildings, residential buildings, and a parking structure for the commercial land uses.

The Original Project analyzed in the Draft EIR included the demolition of the existing structures and surface parking lot, and the development of a mixed-use project with 422 multi-family residences totaling approximately 384,000 square feet of residential floor area, approximately 200,000 square feet of commercial space, and associated parking facilities. The Original Project also included commercial land uses in five separate one- and two-story buildings, two separate seven-story residential buildings (five stories of residential over two levels of aboveground residential parking), and a six-level parking structure for the commercial land uses. Open space amenities would be provided for the Original Project residents at the residential buildings.

In response to comments on the Draft EIR, and in order to include consideration of a proposed expansion at the adjacent Panorama Mall as a related project, the City prepared a revised traffic analysis that included the additional related project. The revised traffic analysis identified a new additional significant traffic impact that would result from the Original Project at the intersection of Roscoe Boulevard and the I-405 Freeway southbound ramps. The Project Applicant and City also identified an additional project alternative, a reduced project labeled Alternative 5, which would have less commercial floor area and more residences than the Original Project, and would avoid the additional significant traffic impact of the Original Project.

Partly in response to comments received on the Draft EIR, and the subsequent traffic analysis of the Revised Draft EIR, the City requested that the Project Applicant consider a revised project alternative to reduce the significant and unavoidable cumulative traffic impacts identified in the Revised Draft EIR. This alternative was labelled “Alternative 5” and included in Section 3, Revisions, Clarifications, and Corrections, of the Final EIR. Alternative 5 is a reduced commercial use project, which includes less commercial space and more residential units than the Original Project.

Alternative 5 would result in the construction of a mixed-use project with 675 multi-family residences totaling approximately 615,000 square feet of residential floor area, approximately 60,000 square feet of commercial space, and associated parking facilities. The residential units would be developed along Cedros Avenue in the western, central, and northern portions of the Project Site. The commercial land uses would be developed in the southern (Roscoe Boulevard) and eastern (Tobias Avenue) portions of the Project Site. An approximately 16,895-square-foot public plaza would be located along Tobias Avenue, which would function as a passive landscaped and hardscaped area for visitors and residents.

The Revised Project approved by the City is a slightly reduced version of Alternative 5 that would eliminate some significant unavoidable impacts and reduce several other impacts compared to the Original Project, and would have substantially similar impacts compared to Alternative 5. The Revised Project includes 623 multi-family residences totaling approximately 515,571 square feet of residential floor area, approximately 60,000 square feet of commercial space, and associated parking facilities. As compared to Alternative 5, the Revised Project has 52 less residential units, approximately 99,430 square feet less residential floor area, and the same commercial floor area.

2.3 PROJECT OBJECTIVES

The objectives of the Project are as follows:

1) Provide for the efficient and functional development of the project site, which is designated to allow for regional commercial development, through the replacement of vacant buildings and surface parking lots with new housing and commercial uses to meet community and regional demands;

a. Develop new housing to meet the needs of existing residents and projected population growth within the Mission Hills – Panorama City – North Hills Community Plan area.

b. Provide for safe pedestrian and bicycle connectivity between the Project's residential and commercial areas, adjacent commercial uses, and nearby transit facilities.

c. Promote pedestrian activity in the area by removing paved surface parking lots and vacant buildings, and activating the street frontage with ground level retail and commercial uses, sidewalks, street trees, and landscaping.

2) Foster local economic development and job creation in the Mission Hills – Panorama City – North Hills Community Plan Area and the San Fernando Valley; and

a. Develop a project with a balanced mix of uses to act as a catalyst and encourage investment in the commercial district.

b. Provide permanent job opportunities and temporary construction jobs.

c. Meet the demand from the immediate and surrounding community for a destination commercial center that includes diverse commercial uses and services, and pedestrian amenities.

3) Eliminate blight and enhance the visual quality of Panorama City by providing a new and attractive development in Panorama City.

a. Support infill development in an existing urban area with adequate infrastructure and public transit access to support the planned density of the Mission Hills – Panorama City – North Hills Community Plan area.

b. Enhance the identity and appearance of the district by designing an integrated and architecturally-unified mixed-use development.

2.4 ACTIONS REQUIRED

The approvals requested by the Project Applicant include the following:

1) Vesting Tentative Tract Map to vacate the existing alley and for the subdivision of an approximately 8.9-acre (393,571 square foot) site into 6 lots (1 master lots and 5 airspace lots) for a mixed-use development, and a Haul Route for the import of 14,000 cubic yards of soil;

2) Vesting Zone Change pursuant to Section 12.32-F from the [Q]C2-1-CDO and [Q]P-1-CDO zones to the (T)(Q)C2-1-CDO zone over the entire site and request to modify [Q] Condition related to signage;

3) Master Conditional Use Permit for on-site and off-site alcoholic beverage sales;

4) Conditional Use Permit for Commercial Corner Development to permit restaurants with extended hours of operation past 11:00 pm, and a maximum building height of 85 feet in lieu of a maximum height of 45 feet;

5) Site Plan Review for a development project which creates over 50,000 square feet of non-residential floor area and over 50 dwelling units;

6) Design Review Plan Approval for a mixed-use development within the Panorama City Community Design Overlay;

7) Director's Decision for a 10 percent reduction in the required open space;

8) Demolition, grading, excavation, and building permits; and

9) Other permits, ministerial or discretionary, may be necessary in order to execute and implement the Project. Such approvals may include, but are not limited to: landscaping approvals, exterior approvals, permits for driveway curb cuts, storm water discharge permits, and installation and hookup approvals for public utilities and related permits.

3. CEQA REVIEW AND PUBLIC PARTICIPATION

For purposes of CEQA and these Findings, the Record of Proceedings for the Project described in Section 1.2 above includes (but is not limited to) the following documents:

Notice of Preparation. In compliance with CEQA Guidelines §15375 and §15082, the City published the Notice of Preparation (the "NOP"), which was sent to responsible agencies and members of the public for a 30-day review period starting on August 9, 2016 and ending on September 9, 2016, identifying the scope of the environmental issues. The NOP and responses to the NOP from agencies and interested parties are included in Appendix A to the Draft EIR.

Public Scoping Meeting. In compliance with CEQA Guidelines §15206 and §15082(c)(1), as a project of regional significance, a Public Scoping Meeting was held on August 17, 2016, at Panorama High School (8015 Van Nuys Boulevard, Panorama City, CA 91402) to give the public the opportunity to provide comments as related to the Project and the scope and focus of the EIR.

Draft EIR. The Draft EIR for the Project, which is incorporated herein by reference in full, was prepared pursuant to CEQA and State, Agency, and City of Los Angeles (City) CEQA Guidelines (Public Resources Code Section 21000, et seq., 14 California Code of Regulations Section 15000, et seq., City of Los Angeles Environmental Quality Act Guidelines). The Draft EIR evaluated in detail the potential environmental effects of the Project. The Draft EIR also analyzed the effects of four alternatives to the Project, as described below. These included a No Project Alternative, Reduced Project, All Commercial Project, and By-Right Project.

The Draft EIR was distributed for public review (including the State Clearinghouse) on April 6, 2017 for a 47-day review period with the comment period expiring on May 22, 2017. A Notice of Availability (NOA) was distributed to all property owners within 500 feet of the Project Site and to interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at City Hall, Department of City Planning, and the following local libraries: Los Angeles Central Library, Mid-Valley Regional Library, and Panorama City Branch Library. A copy of the document was also posted online at https://planning.lacity.org/eir/IconAtPanorama/IconAtPanoramaCoverPg.html. Notices were filed with the County Clerk on April 6, 2017.

Revised Draft EIR. Pursuant to CEQA Guidelines §15088.5, a Revised Draft EIR was prepared to provide the public an opportunity to review and comment on the changes to the Original Project's traffic analysis based on the addition of the Panorama City Mall expansion.

The revision was limited to the addition of the Panorama Mall expansion project to the related projects list in Draft EIR Section III (Environmental Setting) and an update to the entire Draft EIR Section IV.K (Transportation/Traffic).

The Revised Draft EIR was distributed for public review (including the State Clearinghouse) on August 31, 2017 for a 47-day review period with the comment period expiring on October 16, 2017. A Notice of Availability (NOA) was distributed to all property owners within 500 feet of the Project Site and to interested parties, which informed them of where they could view the document and how to comment. The Draft EIR was available to the public at City Hall, Department of City Planning, and the following local libraries: Los Angeles Central Library, Mid-Valley Regional Library, and Panorama City Branch Library. A copy of the document was also posted online at https://planning.lacity.org/eir/IconAtPanorama/IconAtPanoramaCoverPg.html. Notices were filed with the County Clerk on August 31, 2017.

Notice of Completion. A Notice of Completion was sent with the Draft EIR to the Governor's Office of Planning and Research State Clearinghouse on April 6, 2017, and notice was provided in newspapers of general and/or regional circulation. A Notice of Completion was sent with the Revised Draft EIR to the Governor's Office of Planning and Research State Clearinghouse on August 31, 2017, and notice was provided in newspapers of general and/or regional circulation.

Final EIR. A total of 13 comment letters were received by the close of the Draft EIR and Revised Draft EIR public comment periods. The specific and general responses to comments are in Section 2 (Responses to Comments) of the Final EIR. Responses to public agency comments were distributed to those public agencies on February 23, 2018.

The Final EIR was distributed on February 23, 2018. The Final EIR has been prepared by the City in accordance with CEQA and the CEQA Guidelines. The City has relied on Section 15084(d)(2) of the CEQA Guidelines that allows contracting with another entity, public or private, to prepare the EIR. The City has reviewed drafts of all portions of the EIR and subjected them to its own review and analysis. The Final EIR that was released for public review reflected the independent judgment of the City.

Errata. An errata was prepared on March 23, 2018 to correct the number of significant unavoidable traffic impacts for Alternative 3, and to correct language in the Final EIR regarding the Environmentally Superior Alternative.

Staff Responses to EIR Appeal. On April 5, 2018, the March 27, 2018 certification of the EIR by the City of Los Angeles was appealed by Southwest Regional Council of Carpenters; LiUNA Local 300, represented by Richard Drury, Lozeau Drury LLP, claiming to be aggrieved by the action. The appeal also incorporated by reference three comment letters submitted to the environmental file: a letter commenting on the Draft EIR and dated May 22, 2017, a letter commenting on the Revised Draft EIR and dated October 16, 2017, and a letter commenting on the Final EIR and dated March 19, 2018. Detailed responses to the labor group's comments on the Draft EIR and Revised Draft EIR were provided in the Final EIR, and responses to the labor group's comments on the Final EIR were provided in the Staff Recommendation Report and Supplemental Report, dated April 2018.

4. NO IMPACT OR LESS THAN SIGNIFICANT IMPACTS WITHOUT MITIGATION

Impacts of the Original Project that were determined to have no impact or be less than significant in the EIR (including as a result of implementation of project design features and regulatory compliance measures) and that require no mitigation are identified below. The impact

area and the appropriate section number follow the impact titling and follow the numbering conventions used in the EIR. The City has reviewed the record and agrees with the conclusion that the following environmental issues would not be significantly affected by Alternative 5 or the Revised Project and, therefore, no additional findings are needed.

These findings do not repeat the full discussions of environmental impacts contained in the EIR. The City ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the EIR. The City adopts the reasoning of the EIR, City staff reports, and presentations regarding the Project.

AESTHETICS

The EIR discussed the impacts related to aesthetics in Section VII of the Draft EIR.

SB 743

Senate Bill (SB) 743, effective January 1, 2014, made several changes to CEQA for projects located in areas served by transit. Among other changes, SB 743 eliminates the need to evaluate aesthetic and parking impacts of a project in some circumstances. Specifically, aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a Transit Priority Area (TPA) shall not be considered to have a significant impact on the environment.

On February 10, 2016, the City circulated Zoning Information File No. 2452 to clarify the locations of TPAs within the City, and to reaffirm that aesthetic impacts shall not be considered a significant impact on the environment when the provisions of SB 743 apply. The Project Site is within a TPA, and therefore, the Project's impacts on visual resources, aesthetic character, shade and shadow, light and glare, scenic vistas, State- and City-designated scenic highways, and parking are not considered to be significant per SB 743 and Zoning Information File No. 2452. Notwithstanding the mandate imposed by SB 743, the following aesthetic analysis for the Project is provided for informational purposes only.

Scenic Vistas

Implementation of the Project would not substantially affect any scenic vistas, since scenic vistas available from the Project area are largely obscured by existing development. Pursuant to SB 743, the Project would not result in impacts related to scenic vistas.

Scenic Resources

The Project Site is not located within a State-designated scenic highway or associated view corridor. Consequently, the Project Site does not contain any trees, rock outcroppings, or historic buildings that are within a state scenic highway or associated corridor. Pursuant to SB 743, the Project would result in no impact to scenic resources within a state scenic highway. .

Visual Character

While the Project would introduce taller buildings than what exist in the surrounding uses, the Project would be consistent with the urban viewshed of the surrounding area and with the type of development that can be developed at a regional commercial site. In addition to the increased height, the Project's proposed buildings would increase the building mass on the Project Site. The resulting buildings would be visually prominent in the immediately surrounding area compared to the existing uses at the Project Site. This increased visibility would occur on

nearby roadways and adjoining sidewalks bordering the site, and the greater height and mass would increase the visibility of the Project Site from nearby residential and commercial properties. Even with increased prominence, however, the Project would be consistent with the urban viewshed of the surrounding area and with the type of development that can be developed at a regional commercial site, and as such, would be visually integrated with the character of the area in a general sense.

The Project would be an urban-scale development that would be reflective of the expected visual character of the area as it develops as part of the Panorama City revitalization efforts and in accordance with adopted land use plans. The Project has been designed to create a vibrant community and pedestrian-oriented streetscape and circulation. The Project complements the scale and grain of the regional commercial area along the Van Nuys Boulevard corridor while contributing an architecturally unique Project as part of the revitalization of the area. The façade of the Project is designed with varying materials and treatments to create a unique street frontage while maintaining the pedestrian experience at street level with high ground-floor façade transparency. The Project's architectural material selection and color palette would contribute toward aesthetic appeal in the area. The design alternates different textures, colors, materials, and distinctive architectural treatments to add visual interest while avoiding dull and repetitive facades.

As part of the Project, landscaping and material improvements to the public right-of-way along adjoining streets is integrated into the design, facilitating pedestrian activity. Overall, the Project is designed and oriented to connect the site as regional commercial use with the Van Nuys Boulevard commercial corridor.

As a result of the proposed building's architectural style and urban design on the Project Site, the proposed Project would be effectively integrated into the aesthetics of the urban viewshed by means of its location within a TPA and its design, architecture, size, massing, and location as well as with future developments that would serve to revitalize this area. Pursuant to SB 743, the visual character impact associated with architectural style and urban design would result in no impacts.

Nighttime Light

It is anticipated that the amount of light emanating from the Project would represent an increase over current light levels. Even so, compliance with City's regulatory compliance measures would require outdoor lighting to be designed and installed with shielding so that the light source cannot be seen from adjacent residential properties, the public right-of-way, nor from above. Pursuant to SB 743, no significant lighting impacts would occur.

Daytime Glare

The Project would incorporate both solid and glass surfaces. Exterior portions of the proposed building would use various non-reflective material designed to minimize the transmission of glare from buildings. The Project's residential and commercial parking would be primarily located within parking structures screened from the street, and some surface parking areas interior to the site, minimizing potential glare from vehicles. Compliance with the City's regulatory compliance measure would require the exterior of the proposed building to be constructed of high-performance, non-reflective materials to minimize glare and reflected heat. Moreover, the Project would not use polished metals in its design. Pursuant to SB 743, impacts would not be significant.

Cumulative Impacts

The development of cumulative projects is expected to occur in accordance with adopted plans and regulations, which would result in individual review of the visual character of each project to ensure consistency and that design standards are compatible with existing land uses. In addition, similar to the Project, the cumulative projects would be required to submit a landscape plan to the City for review and approval.

FINDINGS

As the Revised Project would be of a compatible design as the Original Project, impacts with respect to aesthetics would remain unchanged. Based on SB 743 and the EIR analysis and the whole of the record, the City finds that Revised Project impacts and cumulative impacts related to scenic vistas, scenic resources, visual character, nighttime light, and daytime glare would not result in any significant impacts.

AGRICULTURAL AND FOREST RESOURCES

The EIR discussed the impacts related to agricultural and forest resources in Section VII of the Draft EIR. The Project Site is developed with vacant commercial structures and associated surface parking lot areas, and is located in a developed area of the City. Neither the Project site nor the surrounding area are designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Neither the Project Site nor the surrounding area are under a Williamson Act contract. The Project Site is not zoned for forest land, timberland, or timberland production land uses. No forest land exists on or in the vicinity of the Project Site, and Project implementation would not result in the loss or conversion of forest land. Therefore, no impacts to agricultural and forest resources will occur. Therefore, no impact would occur.

Cumulative Impacts

Development of the Project in combination with the related projects would not result in the conversion of State-designated agricultural land from agricultural use to a non-agricultural use nor result in the loss of forest land or conversion of forest land to non-forest use. Neither the Project Site nor surrounding area are currently used and/or is designated for use as agriculture or forest land, or zoned for agricultural uses or forest land, timberland, or timberland production. Thus, neither the Project nor the related projects would result in the conversion of existing agricultural uses or zoning to a non-agricultural use, nor result in the loss of forest land, timberland, timberland production or zoning, or the conversion of forest land to non-forest use.

FINDINGS

The Revised Project would be constructed on the same site as the Original Project and, therefore, would also result in no impact with respect to agricultural and forest resources. Based on the EIR analysis and the whole of the record, the City finds that the Revised Project would cause no impact and no cumulative impact related to agricultural and forest resources.

AIR QUALITY

The EIR discussed the impacts related to air quality in Section IV.A of the Draft EIR and Section III of the Final EIR. The following discussion addresses impacts with respect to air quality plan consistency, mass daily construction emissions, localized construction and operational emissions, toxic air contaminants, and odors, which have no impact or are less than significant

and do not require mitigation. Mass daily operational air quality emissions are addressed in Section 6, further below.

Air Quality Plan Consistency

The Project would comply with all South Coast Air Quality Management District (SCAQMD) rules and regulations that are in effect at the time of development. The Project would not exceed the growth projections of the Air Quality Management Plan (AQMP), and, as such, would not conflict with the 2012 AQMP or jeopardize attainment of State and national ambient air quality standards in the area under the jurisdiction of the SCAQMD. Impacts would be less than significant with respect to consistency with the AQMP.

The Project would be consistent with goals, objectives, and policies set forth in the City's General Plan Air Quality Element, as it would be generally consistent with the applicable air quality policies discussed above. Therefore, no impact would occur with respect to consistency with the applicable air quality policies in the General Plan.

Mass Daily Construction Emissions

The mass daily regional construction-related emissions generated during the Project construction phase would not exceed the thresholds of significance recommended by SCAQMD. Therefore, this impact would be less than significant.

Localized Construction and Operational Emissions

Emissions during the remaining construction phases would not exceed SCAQMD's Localized Significance Thresholds for the specified pollutants. Therefore, impacts related to localized pollutant concentrations during construction would be less than significant.

On-site operational emissions generated by the proposed uses would not approach the established SCAQMD localized thresholds. Therefore, this impact would be less than significant.

Toxic Air Contaminants (TACs)

Construction activities associated with the Project would be short-term in nature. Estimation of the cancer risk from diesel particulate matter assumes long-term exposure to the pollutant of 70 years. Therefore, the health risk from air pollutants generated during Project construction would be less than significant.

Typical sources of acutely and chronically hazardous TACs include industrial truck stops and warehouse distribution facilities, neither of which would be included as part of the Project. The proposed commercial uses are not sensitive receptors for TACs. Additionally, the proposed use would not be a significant TAC source. Therefore, the impact of the Project operation would be less than significant.

Odors

Potential sources that may emit odors during construction activities include equipment exhaust. Odors from these sources would be localized and generally confined to the immediate area surrounding the Project Site. The Project would use typical construction techniques, and the odors would be typical of most construction sites and temporary and intermittent in nature. Therefore, construction of the Project would result in less-than-significant impacts related to odors.

The Project operation involves no elements related to industrial or other odor-generating land uses, no objectionable odors are anticipated. Therefore, the potential impacts associated with objectionable odors would be less than significant.

Cumulative Impacts

Construction emissions associated with the Project would not exceed the SCAQMD's thresholds of significance. Therefore, the cumulative impact of the Project's construction emissions would be considered less than significant.

With respect to TACs, the construction activities associated with the Project and related projects would be similar to other development projects in the City, and would be subject to the regulations and laws relating to toxic air pollutants at the regional, State, and federal level that would protect sensitive receptors from substantial concentrations of these emissions. In addition, and similar to the Project, related projects construction activity would not result in long-term substantial sources of TAC emissions and would not combine with the Project to generate ongoing TAC emissions. Therefore, cumulative TAC emissions from the Project and related projects would be less than significant.

With respect to cumulative odor impacts, SCAQMD Rules 1108 and 1113 limit the amount of VOC from cutback asphalt and architectural coatings and solvents, respectively. Based on mandatory compliance with SCAQMD Rules, it is reasonably anticipated that construction activities and materials used in the construction of the Project and related projects would not combine to create objectionable odors. Therefore, cumulative odor impacts would be less than significant.

FINDINGS

The Revised Project would result in the same scope of construction as the Original Project, and would generate fewer daily vehicle trips than the Original Project. (See Section 6, below, regarding mass daily operational emissions, which would be significant and unavoidable.) Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project impacts and cumulative impacts related to air quality plan consistency, mass daily construction emissions, localized construction and operational emissions, toxic air contaminants, and odors would be less than significant.

BIOLOGICAL RESOURCES

The EIR discussed the impacts related to biological resources in Section VII of the Draft EIR. The following discussion addresses impacts with respect to special status species, riparian habitat/wetlands, migratory wildlife corridors, the City's tree preservation ordinance, and habitat conservation plans, which are less than significant and do not require mitigation.

Candidate, Sensitive, or Special Status Species

The Project Site does not contain any habitat capable of sustaining any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Additionally, there are no known locally designated natural communities at the Project Site or in the immediate vicinity, nor is the Project Site located immediately adjacent to undeveloped natural open space or a natural water source that may otherwise serve as habitat for State- or federally-listed species. Therefore, no impact would occur.

Riparian Habitat and Wetlands

The Project Site does not support any riparian or wetland habitat or other sensitive habitat areas. Implementation of the Project would not result in any adverse impacts to riparian habitat, wetlands, or other sensitive natural communities. Therefore, no impact would occur.

Migratory Fish or Wildlife

There are no wildlife corridors or native wildlife nursery sites in the Project vicinity. However, existing on-site trees would be removed (and replaced) during construction of the Project, and these trees, along with the street trees, may provide temporary suitable habitat for nesting migratory birds, which are protected under the federal Migratory Bird Treaty Act (MBTA). The MBTA, which is an international treaty ratified in 1918, protects migratory nongame native bird species (as listed in 50 C.F.R. Section 10.13) and their nests. Additionally, Section 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory nongame birds (as listed under the MBTA). The Project would be required to comply with these existing federal and State laws (i.e., MBTA and California Fish and Game Code, respectively). Therefore, impacts would be less than significant.

Tree Preservation Ordinance

An arborist concluded that no protected trees exist on the Project Site. The tree assessment also inspected adjacent properties and determined that there are no protected trees present. Therefore, construction of the Project would not affect any protected trees and impacts would be less than significant.

Conservation Plans

The Project Site and its vicinity are not part of any draft or adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. Therefore, no impact would occur.

Cumulative Impacts

Since the Project would cause no impact to biological resources, it would not contribute to any significant cumulative impact to biological resources.

FINDINGS

The Revised Project would be constructed on the same site as the Original Project and, therefore, would also result in no impact with respect to biological resources. Based on the EIR analysis and the whole of the record, the City finds that the Revised Project would cause no impact and no cumulative impact related to biological resources.

CULTURAL RESOURCES

The EIR discussed the impacts related to cultural resources in Section IV.B and Section VII of the Draft EIR. The following discussion addresses impacts with respect to historic resources, paleontological resources, and human remains, which are less than significant and do not require mitigation. Project impacts with respect to archaeological resources are addressed in Section 5, further below.

Historic Resources

The technical report prepared for this Project (Appendix C to the Draft EIR) fully evaluated the significance of the two buildings associated with the Montgomery Ward store on the Project Site. The evaluation considered three historic contexts: (1) Suburban Planning and Development, (2) Neighborhood and Regional Shopping Centers, and (3) Stand Alone Department Stores. The evaluation concluded that the Montgomery Ward store on the Project Site at 14665 Roscoe Boulevard is not a historical resource under CEQA because it is not associated with the significant Panorama City master planning effort described in the Suburban Planning and Development context; is not associated with a good example of any of the shopping center or regional mall forms discussed in the Neighborhood and Regional Shopping Centers context, nor is it a good example of a well-designed stand-alone Department Store. For these reasons, the Montgomery Ward store is not significant under any of these criteria, and as such, no impact would occur with removal of the Montgomery Ward building.

Paleontological Resources and Geologic Features

No unique geologic features are located on the Project site, which is developed with three vacant commercial buildings and surface parking lot areas. The Project Site and immediate surrounding area do not contain any known vertebrate paleontological resources. Nonetheless, should paleontological resources be discovered during grading or construction, existing regulatory requirements would require the City of Los Angeles Department of Building and Safety to be notified immediately, and all work to cease in the area of the find until a qualified paleontologist evaluates the find. The required compliance would ensure that the found deposits would be treated in accordance with federal, State, and local guidelines, including those set forth in PRC Section 21083.2. Therefore, impacts would be less than significant.

Human Remains

It is unknown whether human remains are located at the Project Site. Any human remains that may have existed near the site surface are likely to have been disturbed or previously removed. Even so, should human remains be encountered unexpectedly during grading or construction activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If human remains of Native American origin are discovered during Project construction, compliance with State laws, which fall within the jurisdiction of the Native American Heritage Commission, relating to the disposition of Native American burials would be required. Therefore, impacts would be less than significant.

Cumulative Impacts

Since the Project would cause no impact to historic resources and a less-than-significant impact to paleontological resources and human remains, it would not contribute to any significant cumulative impact to cultural resources.

FINDINGS

The Revised Project would be constructed on the same site as the Original Project and, therefore, would also result in no impact with respect to historic resources and a less-than-significant impact with respect to paleontological resources and human remains. Based on the EIR analysis and the whole of the record, the City finds that the Revised Project would cause no

impact and no cumulative impact related to historic resources and a less-than-significant impact to paleontological resources and human remains.

GEOLOGY AND SOILS

The EIR discussed the impacts related to geology and soils in Section IV.C and Section VII of the Draft EIR. The following discussion addresses all potential geology and soils impacts, which are less than significant and do not require mitigation.

Fault Rupture

The Project Site is not located within a designated Alquist-Priolo Earthquake Fault Zone. The nearest active fault is the Northridge Fault, approximately three miles from the Project Site. Thus, the potential for future surface rupture on site is very low. Moreover, the Project Site is not within a Preliminary Fault Rupture Study Area. Additionally, the City of Los Angeles Building Code, with which the proposed Project would be required to comply, contains construction requirements to ensure habitable structures are built to a level such that they can withstand acceptable seismic risk. Therefore, impacts related to ground rupture from known earthquake faults would be less than significant.

Seismic Ground Shaking

The Project Site is within the seismically active Southern California region and is, therefore, susceptible to ground shaking during a seismic event, and it is likely the Project would be affected by future earthquakes. However, Project construction would be consistent with all applicable provisions of the Los Angeles Building Code, the recommendations of the Project's Geotechnical Report (see Appendix D to the Draft EIR), and conditions of approval from City of Los Angeles Department of Building and Safety's (LADBS) Grading Division. Conformance with current Los Angeles Building Code requirements would minimize the potential for structures on the Project Site to sustain substantial damage during an earthquake as modern buildings are designed to resist ground shaking through the use of shear panels, moment frames, and reinforcement. Furthermore, although the Project Site is located approximately three miles from the nearest "active" faults (Northridge and Verdugo Faults), and other faults on a regional level, the potential seismic hazard to the Project Site would not be higher than in most areas of the City or elsewhere in the region. Therefore, risks related to strong seismic ground shaking would be less than significant.

Liquefaction

The Project Site is not located within a State- or City-designated area identified as susceptible to liquefaction. In addition, the Geotechnical Report determined that the potential for liquefaction is considered extremely low as the current and historic groundwater levels are more than 50 feet below existing grade. The Project, nonetheless, would be required to comply with the current Los Angeles Building Code, which incorporates (with local amendments) the latest editions of the International Building Code and California Building Code. Compliance with the Los Angeles Building Code includes incorporation of seismic standards appropriate to the Project Site and its seismic design category, which takes into consideration seismic-related ground failure. Additionally, the Project would be required to comply with the design recommendations enumerated in the Geotechnical Report for the Project, which includes seismic design considerations, and the conditions of approval from LADBS Grading Division. Thus, the required compliance with the Los Angeles Building Code and the Geotechnical Report for the Project would ensure the proposed development is built to a level such that it can

withstand acceptable seismic risk. Therefore, impacts related to seismic-related ground failure, including liquefaction, would be less than significant.

Landslides

The Project Site is not located within an area identified by the City as having a potential for landslides, or of a known landslide. The Project Site and surrounding area consist of relatively flat topography. The Project Site is not in the path of any known or potential landslides. Therefore, no impact would occur.

Substantial Erosion/Loss of Topsoil

The Project would not cause geologic hazards related to instability from soil erosion with compliance with the regulatory requirements, site-specific recommendations in the Geotechnical Report, and conditions from the Grading Division of the City of Los Angeles Department of Building and Safety that address potential soil erosion hazards during Project construction and operation. Therefore, construction and operation impacts associated with sedimentation or soil erosion would be less than significant.

Soil Stability

With compliance with the regulatory requirements of the California Building Code, City of Los Angeles Building Code, site-specific recommendations in the Geotechnical Report, and conditions from the Grading Division of the City of Los Angeles Department of Building and Safety, impacts associated with on- or off-site landside, lateral spreading, subsidence, liquefaction or collapse would be less than significant.

Expansive Soils

The on-site soil materials have a very low potential to be expansive. Even so, construction of the Project would be required to comply with the California Building Code and Los Angeles Building Code, which include building foundation requirements appropriate to site-specific conditions, the recommendations enumerated in the Geotechnical Report for the Project, and the conditions of approval from LADBS Grading Division. Therefore, impacts associated with expansive soils would be less than significant.

Septic Tanks

The Project Site is located in a developed area of the City, which is served by a wastewater collection, conveyance, and treatment system operated by the City. The Project would connect to the existing wastewater system. No septic tanks or alternative disposal systems are necessary, nor are they proposed. Therefore, no impact would occur.

Cumulative Impacts

Geologic, soils, and seismicity impacts are typically confined to contiguous properties or a localized area (generally within a 500-foot radius) in which concurrent construction projects in close proximity could be subject to the same fault rupture system or other geologic hazards or exacerbate erosion impacts. The Project Site is not located within an Alquist-Priolo Earthquake Fault Zone. In addition, City regulations and building codes require the consideration of seismic loads in structural design. For these reasons, Project implementation is not expected to result in a considerable contribution to cumulatively significant impacts related to substantial damage

from fault rupture or seismic ground shaking to structures, infrastructure, or human safety, when considered together with the related projects.

FINDINGS

The Revised Project would be constructed on the same site and subject to the same Building Code requirements as the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts and cumulative impacts related to fault rupture, seismic ground shaking, liquefaction, landslides, substantial erosion/loss of topsoil, soil stability, expansive soils, and septic tanks would be less than significant.

GREENHOUSE GAS EMISSIONS

The EIR discussed the impacts related to greenhouse gas (GHG) emissions in Section IV.D of the Draft EIR. The following discussion addresses all potential GHG emission impacts; these cumulative impacts are less than significant and do not require mitigation.

GHG Emissions Generation

Project operation would result in annual emissions of 15,467 $MTCO_2e$. The breakdown of emissions by source category shows approximately less than 1 percent from area sources, 24 percent from energy consumption, 72 percent from mobile sources, 1 percent from solid waste generation, 1 percent from water supply, treatment, and distribution, and less than 1 percent from construction activities. Alternative 5 would generate less vehicle trips than the Project, resulting in fewer GHG emissions during operations at the Project Site. Compliance with a GHG emissions reduction plan renders a less-than-significant impact, since compliance with the plans indicates that the project would not generate greenhouse gas emissions that may have a significant impact on the environment. The Project's design features comply with or exceed performance-based standards included in the regulations outlined in the state Climate Change Scoping Plan (AB32 Scoping Plan), SCAG's 2016 RTC/SCS, and the City's LA Green Plan. The Project would be consistent with the applicable GHG reduction plans and policies. Therefore, the impact of the Project would be less than significant.

Consistency with Applicable Plans and Policies

The Project's design features comply with or exceed the regulations and reduction actions/strategies outlined in the Climate Change Scoping Plan, 2016 RTP/SCS, and the LA Green Plan. These strategies and measures have been implemented on the State level through the 2016 Title 24 CalGreen Code and on the local level by the City of Los Angeles Green Building Code. Therefore, the Project would not conflict with an applicable plan, policy or regulation for the purpose of reducing the emissions of GHGs. The impact of the Project would be less than significant.

Cumulative Impacts

All projects in the state and City, which include the related projects, are subject to policies and regulations which work to achieve the state's GHG reduction goals, and include state and local green building standards, along with other statewide programs designed to reduce GHG emissions, such as mobile source emissions reductions, fuel standards, and conversion of electricity generation from carbon fuel sources to renewable sources. For these reasons, and since the Project is consistent with GHG reduction goals and policies, the contribution of the Project to the cumulative effect of global climate change is not considered to be cumulatively considerable.

FINDINGS

The Revised Project would have fewer associated GHG emissions compared to the Original Project. The Revised Project would be required to comply with the same regulations as identified for the Original Project. The Revised Project would have a less-than-significant impact with respect to GHG emissions and consistency with plans and policies. Based on the EIR analysis and the whole of the record, the City finds that the Revised Project's cumulative impacts related to GHG emissions and consistency with applicable plans and policies would be less than significant.

HAZARDS AND HAZARDOUS MATERIALS

The EIR discussed the impacts related to hazards and hazardous materials in Section IV.E of the Draft EIR. The following discussion addresses all potential hazards and hazardous materials impacts, which are less than significant and do not require mitigation.

Transport of Hazardous Materials

All potentially hazardous materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. Any associated risk would be adequately reduced to a less-than-significant level through compliance with these standards and regulations. Therefore, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. A less-than-significant impact would occur.

Release of Hazardous Materials

During construction, all asbestos-, lead-, and PCB-containing materials would be removed in accordance with applicable regulatory requirements. Specifically, in accordance with SCAQMD Rule 1403, Asbestos Emissions from Demolition/Renovation Activities, prior to demolition activities associated with the Project, the Project Applicant would implement remediation or abatement before any disturbance occurs. Lead-contaminated debris and other wastes must also be managed and disposed of in accordance with applicable provisions of the California Health and Safety Code. Furthermore, any materials found to contain PCBs must be removed and disposed in accordance with all applicable local, State and federal regulations including, but not limited to California Code of Regulations, Title 22, and EPA 40 CFR. Compliance with these regulatory requirements would minimize risks associated with the presence of ACMs, LBPs, and PCBs, which would result in a less-than-significant impact.

There is no evidence of hazardous materials present in Project Site soils that would pose a possible health risk during construction or operation of future buildings. A Phase II investigation (Partner Engineering and Science, Inc. *Phase II Subsurface Investigation Report, Former Montgomery Ward, 14665 Roscoe Boulevard, Panorama City, California 91402*, March 3, 2014) concluded that the former automotive repair facility, gasoline dispensing operation, interior lifts, clarifiers, and floor drains, and former presences of Underground Storage Tanks (USTs) were no longer considered Recognized Environmental Conditions (RECs). Soil borings indicated no evidence of a release and no evidence of hazardous levels of soil contamination from these former uses.

Routine cleaning supplies used on the Project Site during operations could contain hazardous materials. However, usage of these supplies is subject to County, State, and Federal requirements to minimize exposure to people and to ensure safe use, storage, and disposal of

any chemicals, including common cleaning and maintenance materials. Compliance with existing regulations would ensure that routine cleaning solvents would not pose a risk from hazardous materials. Therefore, this impact would be less than significant.

Hazards within One-Quarter Mile of a School

Although schools are within 0.25 miles of the Project, construction of Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste. All significant impacts associated with foreseeable and accident conditions involving the release of hazardous materials into the environment would be less than significant with compliance with applicable Federal and State standards and procedures for removal and handling of ACMs, LBP, and PCBs. Therefore, the impact during construction would be less than significant.

Operation of the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste. Therefore, the Project would not emit hazardous substances within one-quarter mile of a school. The operational impact would be less than significant.

Listed Hazardous Materials Sites

None of the database listings that include the Project Site are considered to be an environmental concern because no violations were noted and the databases on which the Project Site appears are for permitting/documentation purposes rather than for a noted hazardous release. Therefore, there is no hazardous material site pursuant to Government Code Section 65962.5 located on the Project Site, and the Project would not have the potential to exacerbate the current environmental condition to create a significant hazard to the public or the environment. As such, the impact during construction and operation would be less than significant.

Airport Land Use Plan or Private Air Strip

The Project Site is not located within an airport's influence area or in the vicinity of a private airstrip. Therefore, no impact would occur.

Emergency Response or Evacuation Plan

Roscoe Boulevard is designated as a Secondary Disaster Route. No road closures along Roscoe Boulevard during construction or operation are anticipated. A project-specific emergency response plan would be submitted to the LAFD during review of plans as part of the building permit process. Furthermore, access for emergency service providers and evacuation routes would be maintained during construction and operation. Moreover, the Project would not cause permanent alterations to vehicle circulation routes and patterns, or impede public access or travel upon public rights-of-way. Therefore, the construction and operation of the Project would result in a less-than-significant impact on emergency response and emergency evacuation plans.

Wildland Fires

The Project Site is located within a highly developed area of the City and does not include wildlands or high fire hazard terrain or vegetation. The Project Site is not within a Very High Fire Hazard Severity Zone, nor is the Project Site or surrounding area within a wildland fire hazard area. Therefore, no impact would occur

Cumulative Impacts

The potential presence of hazardous substances would require evaluation on a case-by-case basis, in combination with the development proposals for each of the related projects. Further, all projects in the City are required to follow local, State, and federal laws regarding hazardous materials. The Project, together with the related projects, would not create an impact that is cumulatively considerable, as each project would have to comply with site-specific development standards and state hazardous materials handling and transporting regulations. Therefore, cumulative impacts would be less than significant.

FINDINGS

The Revised Project would require approximately the same amount of demolition as the Original Project and would not introduce new uses in addition to those described for the Original Project. The Revised Project would also be required to comply with the same regulations as identified for the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts and cumulative impacts related to transport of hazardous materials, release of hazardous materials, hazards within one-quarter mile of a school, listed hazardous materials sites, airport land use plan or hazard, emergency response or evacuation plan, and wildland fires would be less than significant.

HYDROLOGY AND WATER QUALITY

The EIR discussed the impacts related to hydrology and water quality in Section IV.F of the Draft EIR. The following discussion addresses all potential hydrology and water quality impacts, which are less than significant and do not require mitigation.

Water Quality

With respect to construction, all hazardous materials are to be stored, labeled and used in accordance with the U.S. Occupational Safety and Health Administration (OSHA) regulations. These regulations for routine handling and storing of hazardous materials effectively control the potential stormwater pollution caused by these materials. The Project will comply with the requirements of the General Construction Activity Stormwater Permit, including implementation of a SWPPP, and the MS4 Permit. The Project SWPPP will identify potential pollutant sources that may affect the quality of discharge associated with construction activity, identify non-storm water discharges, and provide design features to effectively prohibit the entry of pollutants into the public storm drain system during construction. These best management practices would ensure that short-term construction-related water quality impacts are less than significant.

With respect to operation, the Project would be required to comply with the MS4 Permit, SUSMP, and City of Los Angeles LID Ordinance to retain and treat stormwater and prevent additional flows to City's Storm Water Drainage System. The Project will provide a gravel infiltration system located under the Project's private access roads between the new structures. With compliance with the MS4 Permit, SUSMP, and LID Ordinance, the operational water quality impacts would be less than significant.

In addition, the Project does not involve the extraction of groundwater, nor are there wells at the Project Site. The closest known water well to the Project Site is Well No. 4847, located approximately 2000 feet west of the site. The Project will not introduce contaminants to groundwater, and would have no potential to cause regulatory standards to be violated at an existing production well. Therefore, impacts would be less than significant.

Groundwater

The Project would not involve subterranean construction and would involve grading to accommodate building pads and footings and such construction would be surface grading. Therefore, the grading would not encounter the groundwater table. As such, the Project would not result in significant impacts related to the availability of groundwater and would not result in the alteration of groundwater flows. Therefore, construction impacts to groundwater would be less than significant.

As part of its design, the Project would capture stormwater within an on-site drainage system and direct it to a series of gravel trenches that would be constructed within the private access roadway system that would be 10 feet from any structures or property lines. These trenches would infiltrate stormwater into the ground within 72 hours of capture. While the Project would decrease the amount of impermeable surfaces at the Project Site, no adverse change in groundwater recharge capacity is expected with Project operation because such change would be comparatively negligible from the existing condition to the Project condition due to the urbanized setting of the Project Site and limited recharge potential of the site in its existing condition. Accordingly, operational impacts to groundwater would be less than significant.

Drainage

During Project construction, a temporary alteration of the existing on-site drainage pattern may occur. However, these changes would not result in substantial erosion or siltation due to stringent controls imposed under the General Construction Activity Stormwater Permit, including implementation of a SWPPP, and the MS4 Permit. With implementation of the required BMPs, drainage impacts during construction would be less than significant.

The Project is unlikely to alter the drainage pattern in a manner that would result in substantial erosion or siltation because the Project Site slopes gently to the south and would be required to comply with the requirements of the SUSMP, MS4 permit and LID Ordinance, which would reduce the volume of runoff from the Project Site after the Project is constructed. In addition, the Project would not modify the surrounding streets with respect to the manner in which they convey storm runoff to the City storm drain system. Similar to existing conditions, runoff from the Project would drain via sheetflow in a southerly direction toward the city streets. Therefore, the operational impact on drainage patterns with respect to the potential for erosion or siltation would be less than significant.

Runoff

The Project would prepare a SWPPP to prevent runoff and water quality impacts during construction as well as comply with the SUSMP and MS4 Permit. Moreover, the Project would comply with the LID Ordinance, which, as noted above, would limit or reduce flows to the City storm drain system. Therefore, stormwater runoff from the Project Site would not exceed the capacity of the existing or planned stormwater drainage systems. However, should the City determine improvements to the stormwater drainage system are necessary during the permit review process, the Applicant would be responsible for the improvements, and such improvements would be conducted as part of the Project either on-site or off-site within the right-of-way. The stormwater drainage infrastructure construction activities would be temporary and of short duration, and would not result in significant environmental impacts. Furthermore, as the Project would manage, capture, and treat runoff, as required by regulatory compliance, implementation of the Project would represent an improvement in water quality as compared to the existing condition where runoff sheetflows untreated to the drainage system. Thus, a less-

than-significant impact would occur with respect to surface runoff volume during operation. With compliance with existing regulations, the construction and operation of the Project would not introduce substantial sources of polluted runoff. Therefore, this impact would be less than significant.

100-Year Flood

According to the Federal Emergency Management Agency's Flood Insurance Rate Map, the Project Site is within Zone X – Other Areas, which is a designation for areas determined to be outside the 100-year flood hazard area. Therefore, no impact would occur

Flooding from Levee or Dam

The Project Site is within the inundation boundaries of the Hansen Dam Reservoir, Pacoima Dam Reservoir, and Lopez Dam and Reservoir. However, according to the Federal Emergency Management Agency Flood Insurance Rate map program, the Project Site is located in Zone X (unshaded). Zone X (unshaded) refers to areas outside of the flood zone. These dams are continuously monitored by various agencies (such as the State of California Division of Safety of Dams and the U.S. Army Corps of Engineers) to guard against the threat of dam failure. Based on the continuous scrutiny by California Division of Safety of Dams and the U.S. Army Corps of Engineers, the potential for failure of the dam that could result in inundation of the downstream area is low. As such, impacts related to potential inundation from the failure of a levee or dam would be less than significant.

Inundation by Seiche, Tsunami, or Mudflow

The Project Site is not within an area potentially impacted by a tsunami. There are also no major water bodies in the vicinity of the Project Site that would put the site at risk of inundation by seiche. Furthermore, the Project Site is located within a heavily developed area of the City where little open space exists. The Project Site is relatively flat and is not located adjacent to a hillside area and, thus, the potential for mudflows to impact the Project Site would be highly unlikely. Therefore, no impact would occur.

Cumulative Impacts

Future development of the related projects and other development within the Tujunga Wash watershed could affect the amount, the rate, the velocity, and the quality of runoff within their respective local drainage areas. Similar to the Project, each of the related projects and other development would be required to prepare and implement a SWPPP during construction, and a SUSMP during operations. In addition, each project would undergo reviews by the City to ensure compliance with the MS4 permit and the LID Ordinance, and determine what, if any, drainage improvements and BMPs would be required to ensure that the storm drain capacity of the system serving each of the related projects is adequate, that no downstream flooding would occur as a result of exceedance of stormdrain capacity, and that no significant water quality issues would result. With compliance with applicable regulatory requirements, the Project would not result in any significant hydrology and water quality impacts, and would not contribute to a cumulatively considerable effect. Therefore, cumulative impacts related to hydrology and water quality would be less than significant.

FINDINGS

The Revised Project would be constructed on the same site as the Original Project and would comply with all regulations identified for the Original Project. Therefore, based on the EIR

analysis and the whole of the record, the City finds that the Revised Project's impacts and cumulative impacts related to water quality, groundwater, drainage, runoff, 100-year flood, flooding from levee or dam, and inundation by seiche, tsunami, or mudflow would be less than significant.

LAND USE AND PLANNING

The EIR discussed the impacts related to land use and planning in Section IV.G of the Draft EIR. The following discussion addresses all potential land use and planning impacts, which are less than significant and do not require mitigation.

Physically Divide an Established Community

The Project would be consistent with surrounding land uses. The Project would be designed to provide connectivity to the surrounding community through the provision of pedestrian and bicycle amenities. Accordingly, the Project would not serve to divide the existing community. Therefore, impacts would be less than significant.

Consistency Analysis

The Project would be substantially consistent with all of the applicable plans, policies, and regulations associated with development of the Project Site. Therefore, impacts related to consistency with applicable plans, policies, and regulations would be less than significant.

Zoning

With approval of the requested approvals, the Project would conform to the Zoning Code provisions applicable to the Project. Therefore, impacts related to zoning would be less than significant.

Conservation Plan

The Project Site is not subject to any applicable habitat conservation plan or natural community conservation plan. No impacts related to this issue would occur.

Cumulative Impacts

Development of the Project, in combination with the related projects, would result in an intensification of existing prevailing land uses in the Project vicinity. The related projects would be subject to specific findings and conditions, which are based on maintaining general conformance with the land use plans applicable to the area. As such, development of the Project and related projects is not anticipated to substantially conflict with the intent of the City's General Plan regarding the future development of the Panorama City community, or with other land use regulations required to be consistent with the General Plan, such as the Planning and Zoning Code. Development of the Project, in combination with the related projects, would not be expected to result in cumulatively considerable effects with respect to land use regulations or conservation plans.

FINDINGS

The Revised Project would require the same approvals as the Original Project and would comply with the same regulations as identified for the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts and

cumulative impacts related to physical division of an established community, consistency with existing land use plans, zoning, and conservation plans would be less than significant.

MINERAL RESOURCES

Regional and State Mineral Resources

The Project Site is fully developed and no oil wells are present. Additionally, the Project Site is not located within an oil field or oil drilling area, nor within a surface mining district or MRZ-2 zone. The Project would not affect any extraction activities and there would be no impact on existing or future regionally important mineral extraction sites. The Project would not involve mineral extraction activities, nor are any such activities presently occurring on the Project Site. Therefore, no impact would occur

Local Mineral Resources

There are no oil extraction operations and drilling or mining of mineral resources at the Project Site, nor is the Project Site within an area identified for such uses. Therefore, development of the Project would not result in the loss of availability of a mineral resource that would be of value to the residents of the State or a locally-important mineral resource, or mineral resource recovery site, as delineated on a local general plan, specific plan, or land use plan. Therefore, no impact would occur.

Cumulative Impacts

It is not known if any related projects would result in the loss of availability of known mineral resources. Regardless, the Project would have no incremental contribution to a potential cumulative impact on mineral resources, and the Project would have no cumulative impact on such resources.

FINDINGS

The Revised Project would be constructed on the same site as the Original Project and, therefore, would also result in no impact with respect to mineral resources. Based on the EIR analysis and the whole of the record, the City finds that the Revised Project would cause no impact and no cumulative impact related to mineral resources.

NOISE

The EIR discussed the impacts related to noise in Section IV.H of the Draft EIR. The following discussion addresses potential impacts with respect to operational noise, vibration (from construction and operation), and distance from an airport, which are less than significant and do not require mitigation. Potential impacts with respect to construction noise are addressed in Section 5, further below.

Operational Noise

Future noise levels at the Project Site would continue to be dominated by vehicular traffic on Roscoe Boulevard, Tobias Avenue, and Cedros Avenue. However, there are no exterior activity areas of the residential units that would be exposed to this noise level. In addition, the exterior-to-interior reduction of newer residential buildings is generally more than 30 dBA. Assuming a 30 dBA exterior-to-interior noise reduction for new residential buildings would provide an interior

noise level of less than 45 dBA CNEL, which is the State's interior standard for new multi-family residential uses.

The traffic generated by the Project would increase local noise levels by a maximum of 1.3 dBA L_{eq} during the AM peak traffic hour and 1.3 dBA L_{eq} during the PM peak traffic hour. These maximum increases would occur along Tobias Avenue south of Chase Street. The maximum increase at any other residential use would be 0.5 dbA L_{eq} along Tobias Avenue north of Chase Street. The increases in noise levels would not be perceptible to most people and would not exceed the applicable thresholds of significance for the affected existing land uses. Therefore, increased roadway noise impacts would be less than significant.

The mechanical equipment and activities at the Project Site would be subject to the City's Noise Ordinance standards. Therefore, operation of the Project would not expose persons to or generate noise levels in excess of standards established by the City and the impact of the Project would be less than significant.

Construction Vibration

Vibration levels during construction could reach as high as approximately 0.076 inches per second PPV within 25 feet of an operating loaded truck. The maximum vibration level of 0.076 inches per second PPV would be below the thresholds of significance for both potential building damage and human annoyance. Therefore, the potential impacts associated with construction vibration would be less than significant.

Operational Vibration

The greatest regular source of Project-related ground-borne vibration would be from trucks making deliveries to the Project Site and garbage trucks picking-up Project-related refuse material. The vibration levels associated with these trucks would be less than the levels associated with large construction equipment. Therefore, the operational impacts associated with ground-borne vibration would be less than significant at nearby sensitive uses.

Within Two Miles of Airport

Although the Project Site is subject to occasional over flights from jet and propeller aircraft, the Project Site is approximately 2.1 miles from the nearest airport (Van Nuys Airport), and is not within that airport's influence area. Moreover, the Project Site is not located within an existing or projected noise contour associated with Van Nuys Airport. In addition, the Project Site is not located in the vicinity of a private airstrip. Therefore, no impact would occur.

Cumulative Impacts

The traffic generated by the Project and cumulative development would increase local noise levels by a maximum of 1.6 dBA L_{eq}, which would not be perceptible to most people and would not exceed the City's thresholds of significance. On-site equipment at the Project Site would have no noise effect on any sensitive uses. Therefore, the Project would not contribute to cumulative noise impact.

FINDINGS

The Revised Project would result in similar vibration-inducing construction activity as the Original Project. The Revised Project would generate similar operational stationary source noise on the Project Site as the Original Project. The Revised Project would generate substantially

fewer daily vehicle trips than the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts and cumulative impacts related to construction vibration, operational noise, operational vibration, and being located within two miles of an airport would be less than significant.

POPULATION AND HOUSING

The EIR discussed the impacts related to population and housing in Section IV.I of the Draft EIR and Section III of the Final EIR. The following discussion addresses all potential population and housing impacts, which are less than significant and do not require mitigation.

Substantial Population Growth

With respect to construction, it is likely that the skilled workers anticipated to work on the Project already reside within the Los Angeles region and would not need to relocate as a result of employment.

The Alternative 5's new residential units would have approximately 1,701 residents, which is an increase compared to the Original Project's 422 residential units with approximately 1,063 residents. According to SCAG, the citywide population is expected to increase by 221,200 between 2008 and 2020 with additional growth of 328,900 persons between 2020 and 2035. Since the population growth associated with the Alternative would be within the projected growth for the citywide SCAG projections, similar to the Original Project, impacts related to population growth would be less than significant.

The Revised Project would generate more residents than the Original Project and fewer residents than Alternative 5. The Revised Project would generate fewer employees than the Original Project and the same number of employees as Alternative 4B. Therefore, the Revised Project would not cause substantial, unplanned growth.

Population and Housing Displacement

The Project Site currently consists of three vacant commercial buildings and surface parking lot areas and, thus, the Project would not displace existing housing or people. Therefore, no impact would occur.

Cumulative Impacts

The Project, in combination with the related projects with residential components, would be part of SCAG's adopted 2012 growth forecast. Furthermore, SCAG periodically updates its population projections for the various subregions that comprise the SCAG region, which allows these projections to be revised to reflect land use and planning changes that have occurred since previous updates. Accordingly, the effects of cumulative population growth associated with the Project and other development within the City of Los Angeles subregion would not contribute to a cumulatively considerable effect with respect to population growth (i.e., would not result in population growth at a rate not already anticipated at the regional and local level). Therefore, cumulative impacts would be less than significant.

FINDINGS

The Revised Project would cause increased growth in residents and employment compared to the Original Project and reduced growth in residents compared to Alternative 4B, both of which were identified to have less than significant impacts. Based on the EIR analysis and the whole

of the record, the City finds that the Revised Project's impacts and cumulative impacts related to substantial population growth and displacement of housing or persons would be less than significant.

PUBLIC SERVICES

The EIR discussed the impacts related to public services in Section IV.K of the Draft EIR and Section III of the Final EIR. The following discussion addresses potential impacts with respect to fire protection, police protection, schools, parks, and libraries, which are less than significant and do not require mitigation.

Fire Protection - Construction

Construction impacts will be less than significant for the following reasons: Emergency access would be maintained to the Project Site during construction through marked emergency access points approved by the LAFD (see PDF PS-1); Construction impacts are temporary in nature and do not cause lasting effects to impact LAFD fire protection services; Partial lane closures, if determined to be necessary, would not greatly affect emergency vehicles, the drivers of which normally have a variety of options for avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Additionally, if there are partial closures to streets surrounding the project site, flagmen would be used to facilitate the traffic flow until construction is complete (see PDF PS-1); and the Project would be required to prepare a Construction Staging and Traffic Management Plan (CSTMP) (see PDF PS-1) that would address traffic and access control during construction. Therefore, the Project's construction-related impacts on fire protection services would be less than significant.

Project Design Feature

PDF PS-1 The Project shall implement a Construction Staging and Traffic Management Plan that would outline provisions for on-site security during construction, which could include, but are not limited to, temporary security fencing, lighting, and providing security personnel to patrol the site. Additionally, the Construction Staging and Traffic Management Plan shall ensure emergency access to the Project Site is maintained at all times during construction through well-marked entrances.

Fire Protection - Operation

The Project would be within the current fire response distance, provides adequate fire flow and access, and meets building fire safety regulations. Although the Project would increase overall housing, population, and employment in the Project area, and therefore would increase demand on fire protection services, compliance with existing regulations would ensure that growth associated with the Project would not result in substantially increased demand for fire protection services that would foreseeably require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility. Therefore, impacts to fire protection services would be less than significant during operation.

Police Protection – Construction

The Project would provide security fencing and at least one guard to the site during the construction process. Traffic generated by construction workers and trucks would occur primarily during off-peak hours. Emergency access would be maintained to the Project Site during construction through marked emergency access points approved by the LAPD, and the

project would implement a CSTMP. Therefore, impacts to police services during construction of the Project would be less than significant.

Police Protection – Operation

The Project would not result in a substantial incremental contribution to the demand for police protection services, taking into account the population increase and demand generated by the Project, including security and/or design features (PDFs PS-2, PS-3, and PS-4) that would reduce demand. Therefore, the Project would not result in a need for new or physically altered police station the construction of which could cause significant environmental impacts as the Project's impacts on police protection services during operation would be less than significant.

Project Design Features

PDF PS-2 The Project shall comply with the design guidelines outlined in the LAPD Design Out Crime Guidelines, which recommend using natural surveillance to maximize visibility, natural access control that restricts or encourages appropriate site and building access, and territorial reinforcement to define ownership and separate public and private space. Specifically, the Project would:

- Provide on-site security personnel whose duties shall include but not be limited to the following:
  - Monitoring entrances and exits;
  - Managing and monitoring fire/life/safety systems; and
  - Controlling and monitoring activities in the parking facilities.
- Install security industry standard security lighting at recommended locations including parking structures, pathway options, and curbside queuing areas;
- Install closed-circuit television at select locations including (but not limited to) entry and exit points, loading docks, public plazas and parking areas;
- Provide adequate lighting of parking structures, elevators, and lobbies to reduce areas of concealment;
- Provide lighting of building entries, pedestrian walkways, and public open spaces to provide pedestrian orientation and to clearly identify a secure route between the underground parking area and hotel access points;
- Design public spaces to be easily patrolled and accessed by safety personnel;
- Design entrances to, and exits from the buildings, to be open and in view of surrounding sites; and
- Limit visually obstructed and infrequently accessed "dead zones."

PDF PS-3 Prior to the issuance of a certificate of occupancy for each construction phase and ongoing during operations, the Applicant or its successor shall develop an

Emergency Procedures Plan to address emergency concerns and practices. The plan shall be subject to review by LAPD.

PDF PS-4 The Project shall include space on-site for a police substation (i.e., "drop-in office") for use by the LAPD. The precise location and amount of space shall be determined in consultation with the LAPD prior to Project occupancy.

Schools

The Alternative 5 Project would generate an increase of approximately 510 students over existing conditions, which is more than the 417 students that would be generated by the Original Project over existing conditions. Similar to the Project, the new students would contribute to the projected seating shortage or overcrowding at all three schools serving the Project Site. However, pursuant to SB50, payment of the school fees established by the LAUSD in accordance with existing rules and regulations regarding the calculation and payment of such fees, would, by law, mitigate this alternative's direct and indirect impacts on schools.

Parks

There would be an approximately 48 percent increase in the number of residential units under the Alternative 5 Project as compared to the Original Project. Similar to the Original Project, the Alternative 5 Project would be required to provide open space and landscaping and would provide sufficient open space to meet the City's requirements. Furthermore, the Alternative 5 Project would also include an additional 16,895-square-foot public plaza for passive use in the commercial portion of the site, resulting in a greater amount of open space throughout the site per resident than the Original Project. The Alternative 5 Project would also be subject to the same payment of recreation and parks fees under the Quimby Act and/or Dwelling Unit Construction Tax as the Original Project. Therefore, there would be no need to construct new or physically alter existing recreational facilities, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, and impacts to recreation and parks would be less than significant.

Libraries

Implementation of the Project would not result in the need to construct new or physically alter existing library facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives. Implementation of the Project would not result in a significant population increase and would not increase the demand for libraries beyond the expected level of service. Therefore, Project impacts to library service would be less than significant.

Cumulative Impacts

As stated in the EIR, cumulative development combined with the Project would not cause the LAFD, LAPD, Department of Recreation and Parks, or LAPL to construct new or expanded facilities; cumulative school impacts would be mitigated by the payment of Government Code section 65995 school facility development fees. Therefore, the cumulative impact would be less than significant.

FINDINGS

The Revised Project would result in increased impacts compared to the Original Project, and slightly less impacts compared to Alternative 5, with respect to fire protection services, police

protection services, parks, and libraries, and would include all of the Project Design Features identified for the Original Project and Alternative 5. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts and cumulative impacts related to fire protection services, police protection services, schools, parks, and libraries would be less than significant.

TRANSPORTATION/TRAFFIC

The EIR discussed the impacts related to transportation/traffic in Section IV.K of the Draft EIR and Revised Draft EIR, Section III of the Final EIR, and the Errata. The following discussion summarizes the Project's impacts with respect to construction traffic, Congestion Management Plan Consistency, air traffic hazards, hazardous design features, emergency access, and alternative modes of transportation. The Project's operational traffic impacts are addressed in Section 6, further below.

Construction Traffic

The City generally considers construction-related impacts adverse but not significant because of the temporary effects with prohibitions during peak hour travel. While not considered a significant impact, the Project would implement Project Design Features that include a Work Area Traffic Control Plan (PDF TR-1) and Construction Staging and Traffic Management Plan (PDF TR-2) to ensure that construction related impacts are reduced to the extent feasible and remain less than significant.

Project Design Features

PDF TR-1. A Work Area Traffic Control Plan shall be developed by the Applicant and approved by the Los Angeles Department of Transportation. The Work Area Traffic Control Plan shall identify all traffic control measures, signs, delineators, and work instructions to be implemented by the construction contractor through the duration of demolition and construction activity. The plan shall minimize the potential conflicts between construction activities, street traffic, bicyclists and pedestrians, and shall include the following:

- A flagman shall be placed at the truck entry and exit from the Project Site to control the flow of exiting trucks.
- Deliveries and pick-ups of construction materials shall be scheduled during non-peak travel periods to the extent feasible and coordinated to reduce the potential of trucks waiting to load or unload for protracted periods of time.
- The Project shall not obstruct access to adjacent land uses during Project construction.
- Applicant shall plan construction and construction staging as to maintain pedestrian access on adjacent sidewalks throughout all construction phases. This measure requires the applicant to maintain adequate and safe pedestrian protection, including physical separation from work space and vehicular traffic and overhead protection, due to sidewalk closure or blockage, at all times.

- Temporary pedestrian facilities shall be adjacent to the Project Site and provide safe, accessible routes that replicate as nearly as practical the most desirable characteristics of the existing facility.
- Covered walkways shall be provided where pedestrians are exposed to potential injury from falling objects.
- Applicant shall keep sidewalks open during construction until only when it is absolutely required to close or block sidewalks for construction staging. Sidewalks shall be reopened as soon as reasonably feasible taking construction and construction staging into account.
- In the event of a lane or sidewalk closure, traffic and/or pedestrians shall be routed around any such lane or sidewalk closures.

PDF TR-2. A Construction Staging and Traffic Management Plan shall be developed by the contractor and approved by the City of Los Angeles Department of Transportation. In addition to the measures identified above, a Construction Management Plan shall include the following:

- Construction equipment and worker cars shall generally be contained on-site. At times when on-site staging and parking is not available, a secondary staging area shall be required. Off-site truck staging shall be identified, as needed, which shall be in a legal area, and shall detail measures to ensure that trucks use the specified haul route, and do not travel through residential neighborhoods.
- Schedule vehicle movements to ensure that there are no vehicles waiting off-site and impeding public traffic flow on the surrounding streets.
- Establish requirements for the loading, unloading, and storage of materials on the Project Site.
- Establish requirements for the temporary removal of parking spaces, time limits for the reduction of travel lanes, and closing or diversion of pedestrian facilities to ensure the safety of pedestrian and access to local businesses. Any travel lane closures shall be limited to between non-peak commute hours of 9:00 AM and 3:00 PM.
- Coordinate with the City and emergency service providers to ensure adequate access is maintained to the Project Site and neighboring land uses.
- Construction Worker Parking Plan shall be prepared which prohibits construction workers from parking on adjacent streets and that directs construction workers to on-site parking; or if unavailable, to off-site locations. If off-site, parking location(s) shall be identified for construction workers and the method of transportation to and from the Project Site (if beyond walking distance) for approval by the City.

CMP Facilities and Caltrans Facilities

To determine the geographic scope of the study area for regional traffic impact analyses, the Project would need to meet the criteria for CMP arterial monitoring intersections and for freeway monitoring locations, determined by the number of trips added by the project during peak traffic hours. The Project's traffic volume is below the CMP thresholds, and no further CMP analysis is required. In addition, the estimated additional transit trips would not result in regional transit impacts as Roscoe Boulevard and Van Nuys Boulevard provide sufficient transit capacity and connections for the proposed added Project transit trips.
For Caltrans facilities, Freeway Impact Procedures with screening criteria have been developed by LADOT and Caltrans, and if any of these criteria regarding the project's peak hour trip impacts on mainline capacity of freeway segments and off-ramp operations are satisfied, then additional regional traffic impact analysis is required. Results of the analyses pursuant to the screening criteria show that the freeway mainlines and off-ramps do not exceed the screening criteria as set forth in the LADOT/Caltrans agreement. Therefore, Project impacts related to CMP facilities and Caltrans facilities would be less than significant.

Air Traffic Patterns

The Project does not include any aviation-related use and would have no impact on any airport. The Project would also not require any modification of flight paths for the existing airports in the Los Angeles Basin. Therefore, no impact would occur.

Hazardous Design Features

No hazardous design features or incompatible land uses would be introduced with the Project that would create significant hazards to the surrounding roadways. Therefore, no impact would occur.

Emergency Access

While not considered a significant impact, the Project would implement Project Design Features that include a Work Area Traffic Control Plan (PDF TR-1) and Construction Staging and Traffic Management Plan (PDF TR-2), which is intended to minimize disruptions to through-traffic flow and maintain emergency vehicle access to the Project Site and neighboring land uses. Construction related impacts are reduced to the extent feasible and were determined to be less than significant.

With respect to Project operations, while the Project is anticipated to affect the LOS of roadways in the Project vicinity, the Project Site is bordered by major streets and would provide an internal fire lane and several points of access from the adjacent roadways. The final design of emergency access features would be subject to the review and approval of the LAFD for compliance with emergency access requirements, prior to the issuance of building permits. Therefore, adequate emergency access would be provided. Operational impacts on emergency access would be adequate and impacts would be less than significant.

Alternative Transportation Modes

The Project would be consistent with policies, plans, and programs that support alternative transportation, including the Mobility Plan and 2010 Bicycle Plan, and Community Plan. Bicycle parking would be provided on the Project Site in accordance with the Bicycle Parking Ordinance. Operation of the Project would not modify the existing roadway configurations or

otherwise introduce a design feature or physical configuration that inhibits safe visibility of pedestrians, bicyclists, and drivers to and from the Project Site. The driveways would be designed in accordance with LADOT standards and approvals. The Project would not conflict with alternative transportation plans, and would support policies for incentivizing transit usage, increasing pedestrian safety, and providing bicycle facilities.

FINDINGS

The Revised Project's impacts with respect to construction traffic, Congestion Management Plan Consistency, air traffic hazards, hazardous design features, emergency access, and alternative modes of transportation would be similar to those of the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts and cumulative impacts related to construction traffic, Congestion Management Plan Consistency, air traffic hazards, hazardous design features, emergency access, and alternative modes of transportation would be less than significant.

TRIBAL CULTURAL RESROUCES

Substantial Adverse Change in the Significance of a Tribal Cultural Resource Defined in Public Resources Code Section 21074 and Listed in Public Resources Code Section 5024.1(k).

The City sent notification letters on August 31, 2016 to the California Native American Tribes that requested inclusion on the City's AB 52 notification list. On September 20, 2017, the City, after acting in good faith and with reasonable effort, concluded consultation for the Project. The City determined that the record did not contain substantial evidence that the Project may cause a significant impact on a tribal cultural resource. The City also determined that no mitigation measures relating to tribal cultural resources were required, the City stated that it will add a condition of approval under its police powers to protect the inadvertent discovery of tribal cultural resources. In addition, for archeological resources, MM CUL-1 was included, which would require that a qualified professional archeologist and a certified Native American Monitor be present to monitor all initial phases of ground-disturbing activities associated with the Project.

Finally, none of the potential tribal resources disclosed during the consultation process, or after the City had concluded consultation, are either listed or eligible for listing in the California Register or in a local register of historical resources as defined in PRC Section 5020.1(k). Therefore, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource as defined in PRC Section 21074. Impacts would be less than significant and no mitigation measures are required.

Substantial Adverse Change in the Significance of a Tribal Cultural Resource Defined in Public Resources Code Section 21074 and Determined by the Lead Agency to be Significant under Public Resources Code Section 5024.1(c)

In compliance with AB 52, the City sent notification letters on August 31, 2016 to the California Native American Tribes that requested inclusion on the City's AB 52 notification list. On September 20, 2017, the City, after acting in good faith and with reasonable effort, concluded consultation for the Project. Accordingly, the City determined, in its discretion based on the evidence in the record, that the Project would not cause a substantial adverse change in the significance of a tribal cultural resource pursuant to the criteria in subdivision (c) of PRC Section 5024.1. Therefore, impacts would be less than significant and no mitigation measures are required.

Cumulative

As demonstrated above, the Project does not result in a significant impact to a tribal cultural resource. Specifically, there are no resources listed or determined eligible for listing, on the national, state, or local register of historical resources and the Lead Agency determined that resources identified during AB 52 tribal consultation are not eligible for listing under the criteria in subsection (c) of the Public Resources Code Section 5024.1. Therefore, the Project itself does not make a contribution to a cumulative impact on tribal cultural resources. Accordingly, the impact to tribal cultural resources cannot be characterized as a cumulative impact of the Project.

Further, in compliance with CEQA review, AB 52 consultation was completed for the Project. Similarly, consultations would be required for the related projects with California Native American Tribes in order to identify potential impacts to tribal cultural resources. There are no other ongoing or foreseeable contiguous excavations adjacent to the Project Site that could, when viewed together with the Project, cause a substantial adverse change in the significance of a tribal cultural resource. Therefore, the Project would not independently contribute to a cumulative impact, and when considered together with the related projects, would not create a cumulative impact. Therefore, impacts are less than cumulatively considerable and there are no cumulatively significant impacts on tribal cultural resources.

UTILITIES AND SERVICE SYSTEMS

The EIR discussed the impacts related to utilities and service systems in Section IV.L of the Draft EIR and Section III of the Final EIR. The following discussion addresses all potential utilities and service systems impacts, which are less than significant and do not require mitigation.

Water Supply and Treatment

A Water Supply Assessment was prepared for the Project in compliance with State Water Code Sections 10910-10915, which was approved by the Board of Water and Power Commissioners on March 7, 2017. The Project would generate an increase in water consumption from the Project Site. The estimated daily water consumption for Alternative 5 is estimated to be approximately 4.7 percent greater than the estimated daily water consumption for the Original Project. Current water supply and infrastructure can accommodate the increase. Implementation of the Project would not result in the need for new or additional water infrastructure (facilities). Therefore, impacts with respect to water would be less than significant.

Project Design Feature

PDF WA-1. The following measures shall be included in the Project, which are in addition to those required by codes and ordinances:

- High Efficiency Toilets with flush volume of 0.8 gallons of water per flush;
- Waterless Urinals;
- Showerheads with flow rate of 1.5 gallons per minute;
- ENERGY STAR Residential Dishwashers – Standard size, 3.4 gallons/cycle or less;

- Central Domestic Water Heating System divided into approximately 3 zones with roof top mounted equipment that is located in close proximity to points of use, is equipped with a re-circulating system and metered hot water;
- Individual Metering and billing of hot and cold water for every residential dwelling unit and commercial unit;
- Water-Saving Pool Filter;
- Pool/Spa recirculating filtration equipment;
- Leak Detection System for swimming pools and Jacuzzi;
- Drip Irrigation (Micro-Irrigation);
- Proper Hydro-zoning/zoned irrigation (group plants with similar water requirements together).
- Artificial Turf used exclusively instead of grass.
- Drought tolerant plants-100% of total landscaping

Wastewater

The Project would generate wastewater from the Project Site. However, the wastewater treatment facilities can accommodate additional sewage flow. As a result, Project implementation would not result in the need for new or additional wastewater treatment facilities. Therefore, Project impacts to wastewater treatment capacity would be less than significant.

Stormwater

The Project would neither create, nor contribute, runoff water that would result in the need for any additional storm water drainage facilities. Low Impact Development (LID) is a storm water management strategy that seeks to prevent impacts of runoff and storm water pollution as close to its source as possible. Therefore, Project impacts related to stormwater would be less than significant.

Solid Waste

The Project would generate a net solid waste stream. The landfill serving the Project Site has sufficient permitted capacity to accommodate the Project's solid waste disposal needs. The Project would comply with federal, State, and local statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

FINDINGS

The Revised Project would result not result in significant impacts and would include the same Project Design Feature identified for the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts related to wastewater, water, and solid waste would be less than significant.

Energy Conservation

The EIR discussed the impacts related to energy conservation in Section IV.M of the Draft EIR. The following discussion addresses energy conservation impacts, which are less than significant and do not require mitigation.

The Project would include energy conservation and efficiency features to reduce energy consumption. The Project would be served by the existing energy supply and infrastructure. There would be no impact during construction, and the impacts during operation would be less than significant.

FINDINGS

The Revised Project would not result in significant impacts and would include the same Project Design Feature (PDF WA-1) identified for the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts related to wastewater, water, and solid waste would be less than significant.

5. LESS THAN SIGNIFICANT IMPACTS WITH MITIGATION

The EIR determined that the Project has potentially significant environmental impacts in the areas discussed below. The EIR identified feasible mitigation measures to avoid or substantially reduce the environmental impacts in these areas to a level of less than significant. Based on the information and analysis set forth in the EIR, the Revised Project would not have any significant environmental impacts in these areas, as long as all identified feasible mitigation measures are incorporated into the Revised Project. The City again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

CULTURAL RESOURCES

The EIR discussed the impacts related to cultural resources in Section IV.B of the Draft EIR. The following discussion addresses potential impacts with respect to archaeological resources, which would not result in significant impacts with implementation of the identified mitigation measures.

Archaeological Resources

The Project Site is located in a developed urban environment on a previously disturbed site, as such, the potential to encounter either prehistoric or historic archaeological resources is considered to be low. However, due to the depth of the foundation needed to accommodate the Project's height, a possibility exists for encountering archaeological materials during excavation. To mitigate any potential impacts resulting from unexpected discoveries, it is recommended that a qualified archaeologist monitor all ground-disturbing project-related activities and that protocols be established in case previously unidentified archaeological resources are discovered through the course of construction. In addition, it has also been requested that a Certified Native American Monitor be present to observe all ground-disturbing activities. Implementation of Mitigation Measure MM CUL-1 would ensure that Project impacts related to archaeological resources would be less than significant.

Mitigation Measure

MM CUL-1 A qualified professional archaeologist and a Certified Native American Monitor shall monitor all initial phase of ground disturbing activities of the project. If buried cultural resources—such as flaked or ground stone, historic debris, building foundations, or non-human bone—are discovered during ground-disturbing activities, work shall stop in that area and within 50 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures. Treatment measures

typically include development of avoidance strategies, capping with fill material, or mitigation of impacts through data recovery programs such as excavation or detailed documentation. A report of findings shall be prepared, and recovered materials curated, if needed, in an approved facility. If, during cultural resources monitoring, the qualified archaeologist determines that the sediments being excavated are previously disturbed by previous construction or are unlikely to contain significant cultural materials, the qualified archaeologist can specify that monitoring be reduced or eliminated.

FINDINGS

The Revised Project would have the same potential impacts to archaeological resources as the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts would be significant absent mitigation, but that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR. Mitigation Measure MM CUL-1 is hereby incorporated into the Revised Project and would avoid or substantially lessen the significant impact related to archaeological resources to less than significant.

RATIONALE

The Project Site is located in a developed urban environment on a previously disturbed site, as such, the potential to encounter either prehistoric or historic archaeological resources is considered to be low. However, due to the depth of the foundation needed to accommodate the Project's height, a possibility exists for encountering archaeological materials during excavation. To mitigate any potential impacts resulting from unexpected discoveries, a qualified archaeologist shall monitor all ground-disturbing project-related activities and protocols shall be established in case previously unidentified archaeological resources are discovered through the course of construction. In addition, a Certified Native American Monitor shall be present to observe all ground-disturbing activities. Implementation of Mitigation Measure MM CUL-1 would ensure that Project impacts related to archaeological resources would be less than significant.

REFERENCE

For a complete discussion of Project impacts related to archaeological resources, please see Section VII of the Draft EIR. See Section 2.2 above for the Project Characteristics of the Revised Project.

NOISE

The EIR discussed the impacts related to noise in Section IV.H of the Draft EIR. The following discussion addresses potential impacts with respect to construction noise, which would not result in significant impacts with implementation of the identified mitigation measures.

Construction Noise (Exposure of Excessive Noise and Temporary Increase in Ambien Noise)

Construction activities associated with the Project would require the use of heavy equipment for demolition and building construction. Noise from smaller power tools, generators, and other sources of noise would also be associated with construction of the Project. During each stage of development, there would be a different mix of equipment operating and noise levels would vary based on the type and amount of equipment in operation and the location of the activity. As such, the sensitive receptors in the vicinity of the Project Site that would be affected by

construction activities would be the multi-family residences to the immediate north of the Project Site and the multi-family residences to the west of Cedros Avenue and south of Roscoe Boulevard. The closest of these receptors would be the multi-family residences to the immediate north of the Project Site (i.e., within 50 feet of the Project Site). Accordingly, these receptors could experience construction noise levels of up to 90 dBA. Since the measured ambient noise level at this location is approximately 55 dBA, the Project would increase noise levels by more than 10 dBA, which would be a potentially significant impact in terms of excessive noise and a temporary increase in ambient noise levels.

Construction activities associated with the Project would comply with LAMC Section 41.40. Specifically, LAMC Section 41.40 regulates noise from demolition and construction activities by prohibiting construction activity (including demolition) and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other place of residence, between the hours of 9:00 PM and 7:00 AM Monday through Friday, and between 6:00 PM and 8:00 AM on Saturday. All such activities are also prohibited on Sundays and all federal holidays. In addition, pursuant to the provisions of LAMC Section 112.05, implementation of technically feasible noise limitation measures, including the use of mufflers, shields, sound barriers and/or any other noise reduction device or techniques during the operation of the equipment, would be required for the Project. As such, the Project would be required to comply with mitigation measures MM NOI-1 through MM NOI-6, which represent the technically feasible noise limitation measures for reducing construction noise levels that could be associated with the Project. Compliance with these LAMC requirements in addition to mitigation measures MM NOI-1 through MM NOI-6 would reduce noise levels associated with construction of the Project to the extent feasible, and therefore, to a less-than-significant level.

Mitigation Measures

MM NOI-1 All construction equipment engines shall be properly tuned and muffled according to manufacturers' specifications. The Project contractor shall use power construction equipment with noise shielding and muffling devices.

MM NOI-2 Construction activities whose specific location on the Project Site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise-sensitive land uses, and manmade barriers (e.g., intervening building walls) shall be used to screen such activities from these land uses.

MM NOI-3 Demolition and construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels. Examples include the use of concrete saws and jackhammers.

MM NOI-4 Equipment warm-up areas, water tanks, and equipment storage areas shall be located as far as possible from the surrounding residential uses.

MM NOI-5 The Project developer shall install temporary sound curtains of sufficient height to block the lines-of-sight of the construction activities at the Project Site from the residential properties to the north and west. The sound curtains shall be in place until the exterior of the building is constructed and doors are installed and loud construction activities (activities capable of generating noise levels in excess of 75 dBA L_{max} at the existing residential properties) have ceased.

MM NOI-6 Two weeks prior to the commencement of demolition and construction at the Project Site, notification shall be provided to the residential properties to the immediate north of the Project Site and to the west of the Project Site along Cedros Avenue disclosing the construction schedule, including the various types

of activities and equipment that would be occurring throughout the duration of the construction period.

FINDINGS

The Revised Project would generate a similar amount of construction noise as the Original Project. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts would be significant absent mitigation, but that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant impacts as identified in the EIR. Mitigation Measures MM NOI-1 through MM NOI-6 are hereby incorporated into the Revised Project and avoid or substantially lessen the significant noise-related land use compatibility impact to less than significant.

RATIONALE

Construction activities associated with the Project would require the use of heavy equipment for demolition and building construction. Noise from smaller power tools, generators, and other sources of noise would also be associated with construction of the Project. During each stage of development, there would be a different mix of equipment operating and noise levels would vary based on the type and amount of equipment in operation and the location of the activity. As such, the sensitive receptors in the vicinity of the Project Site that would be affected by construction activities would be the multi-family residences to the immediate north of the Project Site and the multi-family residences to the west of Cedros Avenue and south of Roscoe Boulevard. The closest of these receptors would be the multi-family residences to the immediate north of the Project Site (i.e., within 50 feet of the Project Site). Accordingly, these receptors could experience construction noise levels of up to 90 dBA. Since the measured ambient noise level at this location is approximately 55 dBA, the Project would increase noise levels by more than 10 dBA, which would be a potentially significant impact, in terms of excessive noise and a temporary increase in ambient noise levels.

Construction activities associated with the Project would comply with LAMC Section 41.40. Specifically, LAMC Section 41.40 regulates noise from demolition and construction activities by prohibiting construction activity (including demolition) and repair work, where the use of any power tool, device, or equipment would disturb persons occupying sleeping quarters in any dwelling hotel, apartment, or other place of residence, between the hours of 9:00 PM and 7:00 AM Monday through Friday, and between 6:00 PM and 8:00 AM on Saturday. All such activities are also prohibited on Sundays and all federal holidays. In addition, pursuant to the provisions of LAMC Section 112.05, implementation of technically feasible noise limitation measures, including the use of mufflers, shields, sound barriers and/or any other noise reduction device or techniques during the operation of the equipment, would be required for the Project. As such, the Project would be required to comply with mitigation measures MM NOI-1 through MM NOI-6, which represent the technically feasible noise limitation measures for reducing construction noise levels that could be associated with the Project. Compliance with these LAMC requirements in addition to mitigation measures MM NOI-1 through MM NOI-6 would reduce noise levels associated with construction of the Project to the extent feasible, and therefore, to a less-than-significant level.

REFERENCE

For a complete discussion of noise impacts, please see Section IV.H, Noise, of the Draft EIR. See Section 2.2 above for the Project Characteristics of the Revised Project.

6. SIGNIFICANT UNAVOIDABLE IMPACTS

The EIR determined that the Project would result in potentially significant environmental impacts related to operational air quality and transportation/traffic. The EIR identified all feasible mitigation measures to reduce these impacts, but even with implementation of feasible mitigation measures, impacts would remain significant and unavoidable for the following impacts:

- Air Quality – VOC and NOx Emissions
- Transportation/Traffic – Intersection LOS

The City again ratifies, adopts, and incorporates the full analysis, explanation, findings, responses to comments, and conclusions of the EIR.

AIR QUALITY

The EIR discussed the impacts related to air quality in Section IV.A of the Draft EIR. The following discussion addresses potential impacts with respect to mass daily operational emissions (VOC and NOx), which cannot be fully mitigated even with the implementation of all feasible mitigation measures, and would result in significant and unavoidable impacts.

Mass Daily Operational Emissions

The Project would generate mass daily emissions of VOC and NO_X that exceed the thresholds of significance recommended by SCAQMD, violating an air quality standards and resulting in a cumulatively considerable net increase of criteria pollutants. As such, the impact of the Project would be significant. The bulk of Project-related VOC emissions would be from area sources and mobile sources. Most of the area source emissions would be generated by consumer products, including cleaning supplies, kitchen aerosols, cosmetics, and toiletries. It would not be possible to restrict and monitor the types of consumer products used by Project residents. Accordingly, no feasible mitigation is available to address these emissions. The other primary source of the significant VOC emissions and the primary source of the significant NO_X emissions would be motor vehicles. Mitigation Measures MM-TR-5 for the implementation of a Transportation Demand Management Program, and the design and location of the Project in an area served by transit, with facilities intended to encourage bicycle and pedestrian activity, would serve to reduce Project-related automobile trips to the maximum extent feasible. No other mitigation measures are available to the Project to reduce emissions, as the authority to regulate emissions from motor vehicles rests solely in the state and federal governments. The mass daily emissions of the other criteria pollutants would not exceed the SCAQMD's thresholds of significance.

Mitigation Measures

Most of VOC emissions would be generated by consumer products used at the Project Site. These consumer products include cleaning supplies, kitchen aerosols, cosmetics, and toiletries. It would not be possible to restrict and monitor the types of consumer products used by Project residents, which would be the primary source of such emissions at the Project Site.

The other primary source of the significant VOC emissions and the primary source of the significant NO_X emissions would be motor vehicles. Several public transit services run along Roscoe Boulevard and Van Nuys Boulevard, including several bus routes operated by Los Angeles County Metropolitan Transportation Authority and City of Los Angeles Department of Transportation. The traffic numbers identified in the Traffic Study prepared for the Project and

used in the CalEEMod analysis already assume a 15 percent reduction in vehicle trips due to transit use by Project residents, employees, and guests. They also assume a reduction in vehicle trips due to the internal capture of trips by the mix of uses within the Project Site. Furthermore, a mitigation measure (MM-TR-5) has already been included to require the Project to implement a Transportation Demand Management Program (TDM) with a performance standard of reducing Project traffic by 15 percent though bike and carpool-like programs, transit incentives, and other elements for both residents and employees. The Project also proposes an urban-scale development with pedestrian-oriented streetscape and circulation. The Project has been designed to draw in pedestrian activity from the surrounding community and provide adequate bicycle facilities in an effort to reduce vehicle trips.

The Project is designed to have a minimum capability of five percent electrical vehicle charging in the commercial parking and residential parking garages. Use of electric vehicles by Project residents, employees, and guests would result in lower mobile source emissions than what is estimated. However, the number of electric vehicles that would be expected to travel to and from the Project Site is not known at this time and CalEEMod does not provide a module to reduce the motor source emissions due to electrical vehicle charging stations.

Based on this information, the total operational emissions that would be generated by the Project would be slightly lower than what is estimated, although the actual reduction by the proposed features of the Project is not known. As such, no additional mitigation measures are known to be feasible to reduce the operational emissions associated with the Project to levels that do not exceed the thresholds of significance recommended by SCAQMD.

Impacts After Mitigation

Operational impacts would be significant and unavoidable due to the exceedance of SCAQMD's threshold for daily VOC and NO_X emissions.

<u>Alternative 5</u>

Under the Alternative 5, trip generation would be reduced by approximately 44%. Since mobile source emissions are roughly proportional to trip generation, mobile source emissions would be reduced by approximately 44% with Alternative 5. However, due to the nearly 60% increase in the number of residences, area source emissions for VOCs and NOx would increase, and the total emissions would remain above the SCAQMD threshold. Similar to the Project, impacts would still be significant and unavoidable. It would not be possible to restrict and monitor the types of consumer products used by Project residents, which would be the primary source of VOC emissions at the Project Site. In addition, project features and mitigation measures have already been incorporated into the Project to reduce mobile emissions, VOC, and NOx to the extent feasible.

Mitigation Measures

Most of VOC emissions would be generated by consumer products used at the Project Site. These consumer products include cleaning supplies, kitchen aerosols, cosmetics, and toiletries. It would not be possible to restrict and monitor the types of consumer products used by Project residents, which would be the primary source of such emissions at the Project Site. As discussed above, no additional measures are known to be feasible to reduce the operational emissions associated with the Project to levels that do not exceed the thresholds of significance recommended by SCAQMD.

Impacts After Mitigation

Operational impacts would be significant and unavoidable due to the exceedance of SCAQMD's threshold for daily VOC and NO_X emissions.

FINDINGS

Under the Alternative 5, trip generation would be reduced by approximately 44%. Since mobile source emissions are roughly proportional to trip generation, mobile source emissions would be reduced by approximately 44% with Alternative 5. However, due to the nearly 60% increase in the number of residences, area sources for VOC emissions and NOx emissions would increase, and the total emissions would remain above the SCAQMD threshold and, similar to the Project, impacts would still be significant and unavoidable.

The Revised Project would result in similar mobile source emissions from commercial uses as Alternative 5, and reduced mobile source emission from residential uses from Alternative 5. Therefore, the Revised Project's operational emissions would be similar, but less than those of Alternative 5, and impacts would remain significant and unavoidable.

RATIONALE

Most of VOC emissions would be generated by consumer products used at the Project Site. These consumer products include cleaning supplies, kitchen aerosols, cosmetics, and toiletries. It would not be possible to restrict and monitor the types of consumer products used by Project residents, which would be the primary source of such emissions at the Project Site.

The other primary source of the significant VOC emissions and the primary source of the significant NO_X emissions would be motor vehicles. Several public transport services run along Roscoe Boulevard and Van Nuys Boulevard, including several bus routes operated by Los Angeles County Metropolitan Transportation Authority and City of Los Angeles Department of Transportation. The traffic numbers identified in the Traffic Study prepared for the Project and used in the CalEEMod analysis already assume a 15 percent reduction in vehicle trips due to transit use by Project residents, employees, and guests. They also assume a reduction in vehicle trips due to the internal capture of trips by the mix of uses within the Project Site. Furthermore, a mitigation measure (MM-TR-5) has already been included to require the Project to implement a Transportation Demand Management Program (TDM) with a performance standard of reducing Project traffic by 15 percent though bike and carpool-like programs, transit incentives, and other elements for both residents and employees. The Project also proposes an urban-scale development with pedestrian-oriented streetscape and circulation. The Project has been designed to draw in pedestrian activity from the surrounding community and provide adequate bicycle facilities in an effort to reduce vehicle trips.

Similar to the Project, the Revised Project is designed to have a minimum capability of five percent electrical vehicle charging in the commercial parking and residential parking garages. Use of electric vehicles by Project residents, employees, and guests would result in lower mobile source emissions than what is estimated. However, the number of electric vehicles that would be expected to travel to and from the Project Site is not known at this time and CalEEMod does not provide a module to reduce the motor source emissions due to electrical vehicle charging stations.

Based on this information, the total operational emissions that would be generated by the Revised Project would be slightly lower than what is estimated, although the actual reduction by the proposed features of the Project is not known.

Each decision making body of the City finds that all feasible mitigation measures to substantially reduce or avoid the project's operational air quality impacts have been incorporated into the project. In accordance with CEQA Guidelines Section 15091, the City finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially

lessen these significant environmental impacts. The City also finds that specific economic, legal, social, technological or other considerations, make infeasible additional mitigation measures or project alternatives identified in the EIR. However, while implementation of mitigation measures will reduce the impacts, the project's air quality impacts, will be significant and unavoidable.

TRANSPORTATION/TRAFFIC

The EIR discussed the impacts related to transportation/traffic in Section IV.K of the Revised Draft EIR. The following discussion addresses potential impacts with respect to intersection level of service (LOS), which cannot be fully mitigated even with the implementation of all feasible mitigation measures, and would result in significant and unavoidable impacts.

LOS Impacts

Future With Project

The estimated Project traffic was added to the projected year 2020 future traffic conditions to obtain future traffic volumes with the Project for both peak periods at each study intersection. Future with Project traffic volumes were analyzed to determine the projected V/C ratios and LOS for each study intersection.

Seven study intersections would be significantly impacted by the Project's traffic:

- Nordhoff Street and Van Nuys Boulevard (intersection number 2) during the AM peak hour;
- Chase Street and Van Nuys Boulevard (intersection number 5) during the PM peak hour;
- Roscoe Boulevard and Woodman Avenue (intersection number 6) during the AM peak hour;
- Roscoe Boulevard and Van Nuys Boulevard (intersection number 7) during the AM and PM peak hours;
- Roscoe Boulevard and Tobias Avenue (intersection number 8) during the PM peak hour; and
- Roscoe Boulevard and Sepulveda Boulevard (intersection number 9) during the AM and PM peak hours; and
- Roscoe Boulevard and 405 SB Ramps (intersection number 11) during the PM peak hours.

Therefore, the Project would result in a significant traffic impact in the future with Project condition and mitigation would be required to reduce these impacts to the extent feasible. These streets and intersections were reviewed to determine if any potential physical improvements or geometric reconfigurations could be implemented at these locations. Several street improvements were identified to address localized traffic congestion in the study area, including the above-listed significantly impacted intersections, and are required as mitigation measures MM TR-1 through MM TR-4 for the Project. Moreover, the Project would develop a TDM program to reduce Project traffic by 15 percent with bike and carpool programs, transit incentives and other TDM elements for both residents and employees as required by mitigation measure MM TR-5.

These mitigation measures are enumerated below as well as the result of incorporating these measures with the above-identified seven significantly impacted intersections. With implementation of these mitigation measures, impacts at six of the seven intersections in the future with Project traffic condition would remain significant.

Mitigation Measures

MM TR-1 At Roscoe Boulevard and Tobias Avenue (study intersection number 8), the Project shall restripe Tobias Avenue to install a southbound left-turn-only lane and a shared thru/right-turn lane at Roscoe Boulevard. The Project shall also restripe Tobias Avenue to provide a left-turn-only lane at the Project's Tobias Avenue driveway.

MM TR-2 The Project shall install left-turn channelization on Tobias Avenue along the Project frontage to provide a storage lane for Project traffic entering from Roscoe Boulevard, and install eastbound left-turn phasing on the existing traffic signal located at Roscoe Boulevard and Tobias Avenue.

MM TR-3 In addition to the above improvements at Roscoe Boulevard and Tobias Avenue, the Project s Crosswalks at both approaches and provide the installation of truncated domes along the signalized driveway to improve pedestrian safety and visibility.

MM TR-4 The Project shall install a new traffic signal at Chase Street and Tobias Avenue. The Project Ap

MM TR-5 The Project shall develop and implement and Transportation Demand Management (TDM) program with a performance standard of reducing Project traffic by 15 percent through bike and carpool-like programs, transit incentives, and other elements for both residents and employees. A preliminary TDM program shall be prepared and provided to the City of Los Angeles Department of Transportation (LADOT) prior to the issuance of building permits for the Project. A final TDM program shall be prepared and approved by LADOT prior to the issuance of any certificate of occupancy. (A sample startup TDM program is provided in Appendix K to the Traffic Impact Study prepared by Overland Traffic Consultants, Inc., August 2016.) The TDM program shall include, but not be limited to, the following strategies:

- Provide an internal Transportation Management Coordination Program with an on-site transportation coordinator (on-site or off-site);
- Design the Project to ensure a bicycle, transit and pedestrian friendly environment;
- Provide on-site transit routing and schedule information;
- Provide rideshare matching services;
- Provide preferential rideshare loading/unloading or parking location;
- Provide transit and share incentives;
- Encourage access to Metro TAP cards for residents;
- Provide up to two on-site car-share spaces.

Impacts After Mitigation

Future cumulative traffic impacts with the implementation of the roadway improvements required by mitigation measures MM TR-1 through MM TR-4 and the Project TDM Program required by mitigation measure MM TR-5 would reduce traffic impacts at one of the seven intersections to a less-than-significant level (at Roscoe Boulevard and Tobias Avenue). Significant traffic impacts, however, would remain at the following six study intersections:

- Nordhoff Street and Van Nuys Boulevard (intersection number 2) during the AM peak hours;
- Chase Street and Van Nuys Boulevard (intersection number 5) during the PM peak hours;
- Roscoe Boulevard and Woodman Avenue (intersection number 6) during the AM peak hours;
- Roscoe Boulevard and Van Nuys Boulevard (intersection number 7) during the AM and PM peak hours;
- Roscoe Boulevard and Sepulveda Boulevard (intersection number 9) during the AM and PM peak hours; and
- Roscoe Boulevard and the 405 Freeway SB off Ramps (intersection number 11) during the PM peak hours.

Therefore, the Project would result in significant and unavoidable impacts to the above-identified intersections in the future with Project traffic conditions.

Alternative 5

Under Alternative 5, a similar amount of demolition and development would occur at the Project Site as would occur with the Project. Construction traffic impacts of the alternative would be similar to the Project's less-than-significant impacts. Under Alternative 5, traffic conditions would change in the vicinity. Alternative 5 would generate fewer vehicle trips than the Project. Similar to the Project, growth in traffic due to the combined effects of continuing development, intensification of development, and related projects would result in reduced level of service at study intersections located in the vicinity of Alternative 5.

Trip generation of Alternative 5 would be lower than the Project. Alternative 5 would generate 4,484 daily trips, 341 a.m. peak hour trips, and 422 p.m. peak hour trips, compared to 7,996 daily trips, 462 a.m. peak hour trips, and 662 p.m. peak hour trips under the Project.

Implementation of Alternative 5 would result in one significant project traffic impact in the "Existing + Project" condition, compared to four significant impacts that would occur under the Project. As shown in Table VI-29 [of the Final EIR], the potential traffic impact would occur at Roscoe Boulevard and Tobias Avenue (pm peak hour). The same traffic mitigation measures would be necessary for mitigating the existing plus project traffic impacts for this alternative to a less-than-significant level.

However, under "Future with Project cumulative 2020 conditions", significant traffic impacts at seven intersections (the same intersections identified above for the Original Project) would occur under Alternative 5.

Mitigation Measures

The same mitigation measures would be implemented under Alternative 5 as would be implemented under the Original Project. See Mitigation Measures MM TR-1 through MM TR-5.

Impacts After Mitigation

The same traffic mitigation measures that would be implemented under the Original Project would be necessary for mitigating the future plus project traffic impacts. Mitigation measures

would reduce the significant traffic impacts to a less-than-significant level at three of the seven intersections. However, following implementation of traffic mitigation measures, significant impacts at the following four intersections would remain:

- Chase Street and Van Nuys Boulevard (intersection number 5) during the PM peak hours;
- Roscoe Boulevard and Woodman Avenue (intersection number 6) during the AM peak hours;
- Roscoe Boulevard and Van Nuys Boulevard (intersection number 7) during the AM and PM peak hours; and
- Roscoe Boulevard and Sepulveda Boulevard (intersection number 9) during the AM and PM peak hours.

Alternative 5 would result in two fewer intersections that are significantly impacted under this alternative compared to the Project: Nordhoff Street and Van Nuys Boulevard (intersection number 2) and Roscoe Boulevard and the 405 Freeway SB off-ramps (intersection number 11).

FINDINGS

The Revised Project, a reduced version of Alternative 5, would substantially reduce intersection level of service impacts compared to the Original Project because it would result in fewer vehicle trips than the Original Project, and would cause similar, but reduced, intersection level of service impacts to those of Alternative 5. Therefore, based on the EIR analysis and the whole of the record, the City finds that the Revised Project's impacts are significant, and that Mitigation Measures MM TR-1 through MM TR-5 are hereby incorporated into the Revised Project. As stated above, Mitigation Measures MM TR-1 through MM TR-5 would reduce three intersection impacts to less than significant levels; however, significant impacts would remain at four intersections.

Each decision making body of the City finds that all feasible mitigation measures to substantially reduce or avoid the project's operational traffic impacts have been incorporated into the project. In accordance with CEQA Guidelines Section 15091, the City finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen these significant environmental impacts. The City also finds that specific economic, legal, social, technological or other considerations, make infeasible additional mitigation measures or project alternatives identified in the Final EIR. However, while implementation of mitigation measures will reduce the impacts, the project's future year traffic impacts, will be significant and unavoidable.

RATIONALE

The trip generation calculations, scope, and methodologies contained in the Traffic Study were determined in consultation with LADOT, consistent with LADOT Traffic Study guidelines and with the Institute of Transportation Engineers (ITE) trip generation methodologies. These were approved by a Traffic Impact Study Memorandum of Understanding (MOU) prior to the preparation of the Traffic Study. The Project trip adjustments are reviewed on a case-by-case basis through MOU process.

The traffic study concluded that the Revised Project would result in significant operational impacts at seven study intersections. Implementation of mitigation measures MM TR-1 through

MM TR-5 would reduce traffic impacts at three of the seven intersections to a less-than-significant level. No feasible mitigation measures are available that could reduce impacts at the following intersections to less than significant: Chase Street and Van Nuys Boulevard (pm peak hours), Roscoe Boulevard and Woodman Avenue (am peak hours), Roscoe Boulevard and Van Nuys Boulevard (am and pm peak hours); and Roscoe Boulevard and Sepulveda Boulevard (am and pm peak hours).

The mitigation measures identified in the EIR for the Revised Project would quantitatively reduce some of the significant impacts through physical and operational improvements to two intersections to aide in the efficient movement of vehicles and through the implementation of a TDM program for the Project Site to promote peak period trip reductions.

These mitigation measures are consistent with the City's Transportation Impact Study Guidelines and the Institute of Transportation Engineers trip generation methodologies. The TDM program details a set of strategies proposed for the Project designed to reduce peak hour vehicular traffic to and from the Project Site. The TDM program implemented an achievable TDM trip reduction credit of 15 percent. The TDM trip reduction credit was applied consistent with LADOT policies and was approved by LADOT as a feasible measure. The Project Site is located within a regional center, one block or approximately a ¼ mile west of Van Nuys Boulevard, in proximity to a number of bus lines including Metro Rapid Buses, with bus connections to the Metro Orange Line and Metrolink stations. According to the East San Fernando Valley Transit Corridor Study Project prepared by Metro, Van Nuys Boulevard has the highest north-south transit boardings in the San Fernando Valley; approximately 50 percent of the Boulevard's boardings occur along a 2.8-mile stretch, between the Metro Orange Line and Roscoe Boulevard, and of the study area population, 35 percent is transit-dependent. These facts support the use of the allowable vehicle trip adjustments for the multi-use Project. In addition, the Project would improve vehicle movement at the Tobias Avenue intersections with Roscoe Boulevard and Chase Street.

Moreover, the LADOT and the Traffic Study considered physical intersection improvements at the significantly impacted study intersections where the implementation of the TDM program would not mitigate the impacts to a level of insignificance. LADOT determined that other physical traffic mitigation improvements at these impacted intersections were infeasible because of existing physical conditions, existing right-of-way limitations, or conflicts with adopted plans and policies. Therefore, the EIR concluded that operational traffic impacts were significant and unavoidable at four intersections.

The Project Site is also located adjacent to mass transit. Even though the EIR identified operational traffic significant unavoidable impacts, the location of the Project would encourage pedestrian activity and use of alternatives modes of transportation due to its location and the numerous options for mass transit around the Project Site. This Project is consistent with the City's vision for development on the Project Site and the long-range planning considerations of increasing density in a regional center to reduce traffic and environmental impacts.

7. FINDINGS REGARDING PROJECT ALTERNATIVES

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting the project's basic objectives. An EIR must identify ways to substantially reduce or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1). Accordingly, the discussion of alternatives shall focus on alternatives to a project or its location which are capable of avoiding or substantially reducing any significant effects of the project,

even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. The alternative analysis included in the EIR, therefore, identified a reasonable range of project alternatives focused on avoiding or substantially reducing the project's significant impacts.

Project Objectives

Section 15124(b) of the California Environmental Quality Act (CEQA) Guidelines states that a project description shall contain "a statement of the objectives sought by the proposed project." In addition, Section 15124(b) of the State CEQA Guidelines further states that "the statement of objectives should include the underlying purpose of the project." The following objectives for the Project demonstrate the underlying purpose of the Project to redevelop the site with a balanced mix of uses in support of regional goals for housing and transit-oriented development, contributing to the revitalization of Panorama City:

1) Provide for the efficient and functional development of the site, which is designated to allow for regional commercial development, through the replacement of vacant buildings and surface parking lots with new housing and commercial uses to meet community and regional demands;

    a. Develop new housing to meet the needs of existing residents and projected population growth within the Mission Hills – Panorama City – North Hills Community Plan area.

    b. Provide for safe pedestrian and bicycle connectivity between the Project's residential and commercial areas, adjacent commercial uses, and nearby transit facilities.

    c. Promote pedestrian activity in the area by removing paved surface parking lots and vacant buildings, and activating the street frontage with ground level retail and commercial uses, sidewalks, street trees, and landscaping.

2) Foster local economic development and job creation in the Mission Hills – Panorama City – North Hills Community Plan Area and the San Fernando Valley; and

    a. Develop a project with a balanced mix of uses to act as a catalyst and encourage investment in the commercial district.

    b. Provide permanent job opportunities and temporary construction jobs.

    c. Meet the demand from the immediate and surrounding community for a destination commercial center that includes diverse commercial uses and services, and pedestrian amenities.

3) Eliminate blight and enhance the visual quality of Panorama City by providing a new and attractive development in Panorama City.

    a. Support infill development in an existing urban area with adequate infrastructure and public transit access for the planned density of the Mission Hills-North Hills-Panorama City Community Plan area.

b. Enhance the identity and appearance of the district by designing an integrated and architecturally-unified mixed-use development.

Alternatives in the Draft and Final EIRs

CEQA requires that an EIR analyze a reasonable range of feasible alternatives that could substantially reduce or avoid the significant impacts of a project while also meeting a project's basic objectives.

Each decision-making body of the City finds that given the potential impacts of the project, the EIR considered a reasonable range of alternatives to the project to provide informed decision-making in accordance with Section 15126.6 of the CEQA Guidelines.

Based on the significant environmental impacts of the project and the objectives established for the project, the following five alternatives to the Original Project were evaluated in Section VI (Alternatives) of the Draft EIR, and Section III of the Final EIR:

- Alternative 1: No Project
- Alternative 2: Reduced Project
- Alternative 3: All Commercial Project
- Alternative 4: By-Right Project
- Alternative 5: Reduced Commercial Project

These alternatives and their impacts are summarized below. As discussed in Section VI (Alternatives) of the Draft EIR, an alternative was considered and rejected that would develop the Project Site entirely with residences. This alternative was rejected because it would not meet a primary objective of the Project (Objective #2) to promote economic development and investment through the balanced mix of uses, permanent job opportunities, or meeting demand for a destination commercial center in the commercial district.

Summary of Findings

Based upon the following analysis, the City finds, pursuant to CEQA Guidelines Section 15091 that Alternative 5 (Reduced Commercial Project) would substantially lessen or avoid significant effects the Project would have on the environment and would be feasible based on specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers. The Reduced Commercial Project Alternative would have lower significant and unavoidable impacts than the Project with respect to traffic and operational air quality, and lower less-than-significant impacts than the Project with respect to greenhouse gas emissions, operational noise, operational vibration, public services, utilities and energy. Importantly, the significant impact of the Project on the intersection of Roscoe Boulevard and the 405 Freeway SB off-ramps (intersection number 11) and on the intersection of Nordhoff Street and Van Nuys Boulevard (intersection number 2) would be avoided under this alternative. The Reduced Commercial Project Alternative would also be feasible and would attain the City's policy objectives by contributing a substantial number of housing units towards the City's critical housing needs, and by providing an appropriate density and mix of uses to create a transit-oriented development complementary with the City's and County's investments in transit infrastructure and operations for the area.

In addition, as the Revised Project is a reduced version of Alternative 5, the findings for Alternative 5 are also applicable to the Revised Project, as it would also result in lessened environmental impacts and would be feasible.

ALTERNATIVE 1: NO PROJECT

Description of Alternative

Under Alternative 1, the No Project Alternative, no new development would occur for the foreseeable future. The existing vacant commercial buildings, totaling approximately 172,500 square feet and surface parking areas, would remain. The No Project Alternative assumes the development of the related projects.

Impact Summary of Alternative

The No Project Alternative (Alternative 1) would result in fewer impacts on the existing environment, because it would not include any new development and associated traffic, noise, air or GHG emissions, or demand for public services and utilities. The Project would result in significant and unavoidable impacts to operational air quality and traffic. Comparatively, the No Project Alternative would avoid these significant and unavoidable Project-related impacts because no new development would occur on the Project Site.

Findings

Alternative 1, No Project, would not cause environmental impacts, because the new impacts projected to occur from development of the Project would be avoided or reduced. Therefore, this Alternative would be the environmentally superior alternative. However, CEQA requires that if the environmentally superior alternative is the “no project” alternative, the EIR shall also identify an environmentally superior alternative from among the other alternatives (CEQA Guidelines, Section 15126.6[e][2]). In addition, this Alternative would not satisfy any of the Project Objectives. Pursuant to Public Resources Code Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including considerations identified in Section 8 of these Findings (Statement of Overriding Considerations), make Alternative 1, No Project Alternative, infeasible.

Rationale for Findings

Although the No Project Alternative would have fewer impacts than both the Original Project and Revised Project, it would not satisfy any of the Project Objectives. In addition, this Alternative would not provide certain benefits associated with the Project, including the development of additional housing units, creation of new employment opportunities, enhancement of the property and community, or implementation of energy efficiency, energy conservation, or water quality measures. Therefore, for the reasons stated above, this Alternative is infeasible and less desirable than the Project, and is rejected.

Reference

For a complete discussion of impacts associated with Alternative 1, please see Section VI pages VI-5 to VI-11 of the Draft EIR. In addition, a summary comparative matrix is provided in Table VI-36 on page III-24 of the Final EIR.

ALTERNATIVE 2: REDUCED PROJECT

Description of Alternative

Under Alternative 2, Reduced Project, the Project would be reduced by approximately 33 percent from the Original Project. This would result in the construction of a mixed use project with approximately 283 multi-family residences totaling approximately 257,300 square feet of permitted floor area, and approximately 134,000 square feet of commercial space. The residential units would be provided in two buildings up to five stories over one-to two levels of above ground parking facilities. The commercial land uses would be provided in three separate one and two story buildings and a four-level parking structure for commercial uses. The design and configuration of this alternative would be similar to the Project. The main difference would be the total square footage and building height, resulting in a mixed-use development with approximately 67 percent of the mass of the Original Project.

Impact Summary of Alternative

The Original Project would result in significant and unavoidable impacts to operational air quality and traffic. Comparatively, the Reduced Project Alternative would reduce, but not avoid these significant and unavoidable Project-related impacts. Regional operational emissions of VOC would be reduced below the SCAQMD significance threshold. However, regional NOx emissions would remain above the SCAQMD threshold. As such, the significant and unavoidable impacts of the Alternative would be lower than the significant and unavoidable impacts of the Original Project. Under the Reduced Project Alternative, three of six significantly impacted intersections could be mitigated to less than significant under the “Future + Project cumulative 2020 condition”. However, three intersections would remain significant and unavoidable after mitigation, compared to six intersections that would remain significant and unavoidable after mitigation under the Original Project. The significant and unavoidable impacts of the Alternative would be lower than the significant and unavoidable impacts of the Original Project.

The Revised Project would similarly result in significant and unavoidable impacts in regards to operational air quality and traffic. However, the Revised Project would not mitigate the significant VOC impact to less than significant levels like Alternative 2, and the Revised Project would result in one additional significant intersection impact as compared to Alternative 2. The significant and unavoidable impacts of Alternative 2 would be lower than the significant and unavoidable impacts of the Revised Project.

Findings

With this Alternative, the environmental impacts projected to occur would be generally less than those projected to occur from the Project. However, this Alternative would not maximize the development possibilities, or fully support regional goals for housing and transit-oriented development, or provide the critical mass and mix of uses necessary to successfully activate the area. Pursuant to Public Resources Code Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including considerations identified in Section 8 of these Findings (Statement of Overriding Considerations), make this Alternative, the Reduced Project Alternative, infeasible.

Rationale for Findings

The Reduced Project Alternative would have fewer impacts than the Original and Revised Projects and would mostly satisfy the Project Objectives, although to a lesser degree than the Original and Revised Projects. In regards to the City's planning goals and policies, this Alternative would not develop as much housing as the Original and Revised Projects in order to meet the City's critical housing needs. City policies also encourage a high density of uses in regional centers to maximize density on redevelopment sites located adjacent to transit opportunities, and General Plan Framework characterizes Regional Centers as having FARs typically ranging from 1:5:1 to 6:1 and building heights typically between six to 20 stories or higher. This Alternative would result in a 1:1 FAR and six story buildings, and would not maximize the development possibilities or provide the critical mass and mix of uses necessary to successfully activate the area. The Mission Hills – Panorama City – North Hills Community Plan also identifies the Panorama City Regional Center as a major development opportunity site, identifies the need to maximize development opportunities of the future transit system and to locate higher residential densities near commercial centers and major bus routes, and encourages mixed-use projects along transit corridors and pedestrian oriented districts. Alternative 2 would meet these objectives to some degree, but would not fully realize the Community Plan's objectives to maximize density and development on a key site within a commercial center and in proximity to transit opportunities. Furthermore, regarding social and other considerations, maximizing density of development on the Project Site to implement a mixed use project that can deliver the amount and type of commercial uses and variety of residential rental units is desired by the City to support both housing demand and future Metro transit improvements along the Van Nuys Boulevard corridor. The reduced density associated with Alternative 2 does not satisfy the Project's underlying purpose and key objectives to the same extent, providing less than 300 residential units within a nine-acre transit-oriented site, and conflicts with the City's planning goals and is undesirable from a policy standpoint. Therefore, for the reasons stated above, this Alternative is infeasible and less desirable than the Project, and is rejected.

Reference

For a complete discussion of impacts associated with Alternative 2, please see Section VI pages VI-13 to VI-25 of the Draft EIR. In addition, a summary comparative matrix is provided in Table VI-36 on page III-24 of the Final EIR.

ALTERNATIVE 3: ALL COMMERCIAL PROJECT

Description of Alternative

Alternative 3, the All Commercial Project Alternative, would construct a shopping center with approximately 583,000 square feet of floor area. Parking spaces would be provided in a nine story parking structure. The proposed shopping center would feature a mix of retail land uses that would complement the nearby Panorama Mall shopping center to the east, across Tobias Avenue. The shopping center would be constructed in multiple buildings that would be up to three stories, and extend up to 60 feet high.

Impact Summary of Alternative

The Original Project would result in significant and unavoidable impacts to operational air quality and traffic. Comparatively, the All Commercial Project Alternative would not avoid these significant and unavoidable Project-related impacts, but would reduce impacts related to

population, public services, and water usage. Regional operational emissions of VOC and NOx emissions would remain above the SCAQMD thresholds, and the total amount of these emissions would be higher than those of the Original Project. As such, the significant and unavoidable impacts of the Alternative would be greater than the significant and unavoidable impacts of the Original Project. Under the Reduced Project Alternative, two of eight significantly impacted intersections could be mitigated to less than significant under the "Future + Project cumulative 2020 condition". However, six intersections would remain significant and unavoidable after mitigation, the same as the six intersections that would remain significant and unavoidable after mitigation under the Original Project. The significant and unavoidable impacts of the Alternative would be similar, but slightly higher, than the significant and unavoidable impacts of the Original Project. Comparatively, the All Commercial Project Alternative would also have similar but increased significant and unavoidable operational air quality and traffic impacts and increased less-than-significant impacts to operational noise, utilities (solid waste), and energy conservation.

The Revised Project would also result in significant and unavoidable impacts in regards to operational air quality and traffic. The Revised Project would similarly be unable to mitigate the significant VOC and NOx impacts to less than significant levels like Alternative 3, and the Revised Project would result in two fewer significant intersection impact as compared to Alternative 3. The significant and unavoidable impacts of the Revised Project would be less than the significant and unavoidable impacts of Alternative 3.

Findings

With this Alternative, the new environmental impacts projected to occur from development would be generally greater than those projected to occur from the Original and Revised Projects and would not meet the project objectives to the same degree as the Project. Pursuant to Public Resources Code Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including considerations identified in Section 8 of these Findings (Statement of Overriding Considerations), make Alternative 3, the All Commercial Project Alternative, infeasible.

Rationale for Findings

The All Commercial Project Alternative would meet the objectives of the Project related to fostering local economic development and job creation, and eliminating blight and enhancing the visual quality of Panorama City, but would not meet the objectives of the Project related to developing new housing to serve the community. Alternative 3 would only provide commercial uses, which would not provide the critical mass and mix of uses necessary to successfully activate the surrounding area. In regards to the City's planning goals and policies, the Mission Hills – Panorama City – North Hills Community Plan identifies the Panorama City Regional Center as a major development opportunity site, identifies the need to locate higher residential densities near commercial centers and major bus routes and encourages mixed-use projects along transit corridors and pedestrian oriented districts. As this Alternative does not propose any residential uses, it would not help respond to the unmet housing demand in both the Community Plan area and the City as a whole. Further, this Alternative would not maximize the potential mixed-use and transit-oriented development possibilities at the Project Site to the same extent as the Original Project. Alternative 3 does not fully satisfy the underlying purpose of the Project or its key objectives, and conflicts with the City's planning goals and is undesirable from a policy standpoint, as it relates to housing and the jobs/housing balance for development within a

regional center transit corridor. Therefore, for the reasons stated above, this Alternative is infeasible and less desirable than the Project, and is rejected.

Reference

For a complete discussion of impacts associated with Alternative 3, please see Section VI pages VI-27 to VI-39 of the Draft EIR. In addition, a summary comparative matrix is provided in Table VI-36 on page III-24 of the Final EIR.

ALTERNATIVE 4: BY-RIGHT PROJECT

Description of Alternative

Under Alternative 4, the By-Right Project Alternative, the Project Site would be developed without a zone change. This would result in the construction of a mixed-use project with approximately 350 multi-family residences totaling approximately 259,600 square feet of floor area, and approximately 160,000 square feet of commercial space. To conform to the existing zoning requirements, the uses within the By-Right Project Alternative would be segregated. The residential units would be provided in an L-shaped building up at the northeastern portion of the Project Site. The seven-story residential building would front Tobias Avenue and would wrap around a two-story commercial building. Two additional smaller commercial buildings (one and two stories) would front Roscoe Boulevard. A surface parking lot would occupy the western and central portions of the Project Site.

Unlike the Project and Alternatives 2 and 3, Alternative 4 would not require a zone change. Rather, Alternative 4 would include a zone boundary adjustment as allowed under LAMC Section 12.30. Alternative 4 would also include a density bonus as allowed under LAMC Section 12.22-25(a), which would permit this alternative to have a floor-area-ratio of 3:1 in exchange for setting aside 11 percent (39 units) of the total residential units for Very Low Income residential units.

Impact Summary of Alternative

The By-Right Project Alternative would have lower impacts than the Project. The Original Project would result in significant and unavoidable impacts to operational air quality and traffic. Comparatively, the By-Right Project Alternative would reduce, but not avoid, these significant and unavoidable Project-related impacts. Regional operational emissions of VOC would be reduced below the SCAQMD significance threshold. However, regional NOx emissions would remain above the SCAQMD threshold. As such, the significant and unavoidable impacts of the Alternative would be lower than the significant and unavoidable impacts of the Original Project. Under the By-Right Project Alternative, four of six significantly impacted intersections could be mitigated to less than significant. However, two intersections would remain significant and unavoidable after mitigation, compared to six intersections that would remain significant and unavoidable after mitigation under the Original Project and four intersections under the Revised Project.

The Revised Project would similarly result in significant and unavoidable impacts in regards to operational air quality and traffic. However, the Revised Project would not mitigate the significant VOC impact to less than significant levels like Alternative 4, and the Revised Project would result in two additional significant intersection impacts as compared to Alternative 4. The significant and unavoidable impacts of Alternative 4 would be lower than the significant and unavoidable impacts of the Revised Project.

Findings

With this Alternative, the new environmental impacts projected to occur from development of the Project would be generally less than those projected to occur from the Original and Revised Projects. However, this Alternative would not maximize the development possibilities, enhance the commercial appearance or viability of the property, or provide the critical mass and mix of uses to activate the area. Pursuant to Public Resources Code Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including considerations identified in Section 8 of these Findings (Statement of Overriding Considerations), make Alternative 4, the By-Right Project Alternative, infeasible.

Rationale for Findings

The By-Right Project Alternative would have lower impacts than the Project. However, the By-Right Project alternative would achieve the Project Objectives to a lesser degree than the Project, and would not satisfy specific sub-objectives. With respect to Objective 1, although the By-Right Project Alternative would replace vacant buildings and develop an unutilized site, it would retain an expansive surface parking lot on the Project Site, and provide fewer housing units than the Project. In addition, this Alternative would not provide pedestrian and bicycle connectivity to the same degree as the Project. With respect to Objective 2, although the By-Right Alternative would create new jobs, it would not act as a catalyst and encourage investment in the commercial district, and pedestrian amenities because the majority of the site would still be a surface parking lot. With respect to Objective 3, although the By-Right Project Alternative would provide a new development in an existing urban area, it would not enhance the identity and appearance of the district by designing an integrated and architecturally-unified mixed-use development compared to the integrated mix of uses, amenities, pedestrian orientation, and open space that would characterize the Project. In regards to the City's planning goals and policies, this Alternative would not develop as much housing as the Project in order to meet the City's critical housing needs. City policies also encourage a high density of uses in regional centers to maximize density on redevelopment sites located adjacent to transit opportunities. This Alternative would not maximize the development possibilities or provide the critical mass and mix of uses necessary to successfully activate the area. The By-Right Alternative would not achieve the goals of the Citywide Design Guidelines or the Community Design Overlay District and would be less visually appealing because the majority of the site would continue to function as a surface parking lot. Furthermore, regarding social and other considerations, maximizing density of development on the Project Site to implement a mixed use project that can deliver the amount and type of commercial uses and variety of residential rental units is desired by the City to support both housing demand and future Metro transit improvements along the Van Nuys Boulevard corridor. Alternative 4 does not fully satisfy the underlying purpose of the Project or its key objectives, and conflicts with the City's planning goals for housing and site planning, and is undesirable from a policy standpoint. Therefore, for the reasons stated above, this Alternative is infeasible and less desirable than the Project, and is rejected.

Reference

For a complete discussion of impacts associated with Alternative 4, please see Section VI pages VI-41 to VI-56 of the Draft EIR. In addition, a summary comparative matrix is provided in Table VI-36 on page III-24 of the Final EIR.

ALTERNATIVE 5: REDUCED COMMERCIAL PROJECT

Description of Alternative

Partly in response to comments received on the Draft EIR, the City requested that the Project Applicant consider Alternative 5, the Reduced Commercial Project Alternative. Under this Alternative, the Project Site would be developed with less commercial floor area and more residences than under the Original Project. This would result in the construction of a mixed-use project with approximately 675 multi-family residences totaling approximately 615,000 square feet of floor area, and approximately 60,000 square feet of commercial space. The residential units would be developed along Cedros Avenue in the western, central, and northern portions of the Project Site. The commercial land uses would be developed in the southern (Roscoe Boulevard) and eastern (Tobias Avenue) portions of the Project Site. Parking would be provided in structures and a surface parking lot. An approximately 16,895-square-foot public plaza would be located along Tobias Avenue, which would function as a passive landscaped and hardscaped area for visitors and residents.

Impact Summary of Alternative

The Reduced Commercial Project Alternative would have lower impacts than the Original Project. The Original Project would result in significant and unavoidable impacts to operational air quality and traffic. Comparatively, the Reduced Commercial Project Alternative would reduce, but not avoid, these significant and unavoidable Project-related impacts for VOCs and NOx. As such, the significant and unavoidable impacts of this alternative would be similar, but lower than the significant and unavoidable impacts of the Original Project. Under the Reduced Commercial Project Alternative, three of seven significantly impacted intersections could be mitigated to less than significant. However, four intersections would remain significant and unavoidable after mitigation, compared to the six impacted intersections resulting from the Original Project. The significant and unavoidable impacts of the Alternative would be lower than the significant and unavoidable impacts of the Original Project.

Since the Revise Project is a reduced version of Alternative 5, the Revised Project would also result in significant and unavoidable impacts in regards to operational air quality and traffic. The Revised Project would similarly be unable to mitigate the significant VOC and NOx impacts to less than significant levels like Alternative 5, and the Revised Project would result in the same significant intersection impacts as compared to Alternative 5. However, these significant and unavoidable impacts of the Revised Project would be slightly lessened than the significant and unavoidable impacts of Alternative 5, since the Revised Project provide 52 (eight percent) fewer residential units.

Findings

With this Alternative, the new environmental impacts projected to occur from development would be generally less than those projected to occur from the Original Project. In addition, this Alternative would provide the same critical mass of uses necessary to activate the area, and would meet all of the Project Objectives to approximately the same extent as the Project. Pursuant to Public Resources Code Section 21081(a)(3), the City finds that the specific economic, legal, social, technological, or other considerations, including considerations identified in Section 8 of these Findings (Statement of Overriding Considerations), make Alternative 5, the Reduced Commercial Project Alternative, feasible.

The Revised Project is a slightly reduced version of Alternative 5, and therefore would similarly eliminate several significant impacts and reduce other impacts as compared to the Original Project.

Rationale for Findings

The Reduced Commercial Project Alternative would reduce, but not avoid, the significant and unavoidable Project-related impacts, resulting in two fewer intersection impacts. In addition, the Reduced Commercial Project alternative would achieve all the Project Objectives. With respect to Objective 1, the Reduced Commercial Project Alternative would replace vacant buildings and develop an unutilized site, and activate the commercial street frontages along Roscoe Boulevard and Tobias Avenue. The public plaza along Tobias Avenue would provide safe pedestrian connectivity between the Project Site and nearby commercial uses. In addition, this alternative would develop more housing than the Project or any of the other alternatives, in-line with the City's goals to provide housing to meet the area's critical housing needs. With respect to Objective 2, the Reduced Commercial Alternative would create new jobs and encourage investment in the commercial district. Although this alternative would provide less commercial space than the Project, it would similarly provide a balanced mix of land uses that would act as a catalyst and encourage investment in the commercial district. This alternative would also create a destination commercial center that includes a diversity of land uses and pedestrian amenities, such as the public plaza. With respect to Objective 3, the Reduced Commercial Project Alternative would provide a new development in an existing urban area, and it would enhance the identity and appearance of the district by designing an integrated and architecturally-unified mixed-use development with an integrated mix of uses, amenities, pedestrian orientation, and open space.

City policies also encourage a high density of uses in regional centers to maximize density on redevelopment sites located adjacent to transit opportunities, and General Plan Framework characterizes Regional Centers as having FARs typically ranging from 1:5:1 to 6:1 and building heights typically between six to 20 stories or higher. Alternative 5 would result in a 1.5:1 FAR and six story buildings, and would maximize the development possibilities and provide the critical mass and mix of uses necessary to successfully activate the area. The Mission Hills – Panorama City – North Hills Community Plan also identifies the Panorama City Regional Center as a major development opportunity site, identifies the need to maximize development opportunities of the future transit system and to locate higher residential densities near commercial centers and major bus routes, and encourages mixed-use projects along transit corridors and pedestrian oriented districts. Alternative 5 would meet these objectives to maximize density and development on a key site within a commercial center and in proximity to transit opportunities.

Furthermore, regarding social and other considerations, maximizing density of development on the Project Site to implement a mixed use project that can deliver the amount and type of commercial uses and variety of residential rental units is desired by the City to support both housing demand and future Metro transit improvements along the Van Nuys Boulevard corridor. Alternative 5 satisfies the underlying purpose of the Project and its key objectives, and supports the City's planning goals and is desirable from a policy standpoint. Therefore, for the reasons stated above, this Alternative (and therefore, the Revised Project) is feasible and less impactful than the Original Project.

The Revised Project is a slightly reduced version of Alternative 5 with a fewer number of residential units. As compared to Alternative 5, the Revised Project would include 52 fewer residential units, and the same commercial floor area. All impacts from the Revised Project are

substantially similar to the impacts of Alternative 5 as described in the EIR. Thus, by approval of the Revised Project, the City is, in effect, adopting this Alternative.

Reference

For a complete discussion of impacts associated with Alternative 5, please see Section III pages III-6 to III-23 of the Final EIR. In addition, a summary comparative matrix is provided in Table VI-36 on page III-24 of the Final EIR.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Section 15126.6(e)(2) of the State CEQA Guidelines requires that an analysis of alternatives shall identify an environmentally superior alternative among the alternatives evaluated in an EIR and that, if the "no project" alternative is the environmentally superior alternative, the EIR shall also identify another environmentally superior alternative among the remaining alternatives.

In the EIR, Alternative 1, No Project, is considered to be the overall environmentally superior alterative because it would avoid nearly all of the impacts that would occur under the Project. It should be noted that, although most impacts would be avoided, the beneficial aspects of the Project, such as upgrading the property, enhancing the community and the fulfillment of numerous regional and City plan and policy goals for the area would not occur.

Based on the analysis of alternatives in the EIR, Alternative 2, Reduced Project Alternative, is identified as the environmentally superior alternative. The Reduced Commercial Project Alternative would have lower significant and unavoidable impacts than the Project with respect to traffic, including the elimination of the significant impact in terms of operational air quality VOCs, three fewer impacts to intersection capacity, and lower less-than-significant impacts than the Project with respect to noise, public services, utilities and energy. Additionally, the Reduced Project Alternative would mostly satisfy the objectives of the Project, although to a lesser degree than the Project.

However, this Alternative, and Alternatives 1, 3, and 4, would not satisfy the Project Objectives to the same degree as the Original Project. In regards to the City's planning goals and policies, these Alternatives would not develop as much housing as the Project in order to meet the City's critical housing needs. City policies also encourage a high density of uses in regional centers to maximize density on redevelopment sites located adjacent to transit opportunities. These Alternatives would not maximize the development possibilities or provide the critical mass and mix of uses necessary to successfully activate the area. Furthermore, regarding social and other considerations, maximizing density of development on the Project Site to implement a mixed use project that can deliver the amount and type of commercial uses and variety of residential rental units is desired by the City to support both housing demand and future Metro transit improvements along the Van Nuys Boulevard corridor. The reduced densities or housing associated with these alternatives does not satisfy the Project's underlying purpose and key objectives to the same extent, and conflicts with the City's planning goals and is undesirable from a policy standpoint. Therefore, these alternatives are rejected as infeasible.

However, Alternative 5 does substantially meet the Project's underlying purpose and objectives and is feasible from a policy standpoint. The Alternative would result in similar, but reduced, significant and unavoidable impacts in terms of operational VOCs and NOx, and two fewer intersection traffic impacts than the Original Project. In addition, it would lessen the less-than-significant impacts for greenhouse gas emissions, operational noise, operational vibration, water, and energy as compared to the Original Project. Importantly, the significant impact of the

Original Project on the intersection of Roscoe Boulevard and the 405 Freeway SB off-ramps (intersection number 11) and on the intersection of Nordhoff Street and Van Nuys Boulevard (intersection number 2) would be avoided under this alternative.

The Revised Project, which is a slightly reduced version of Alternative 5, with eight percent fewer residential units and the same amount of commercial floor area, would result in similar environmental impacts of Alternative 5. Therefore, the City finds that Alternative 5 is considered to be the feasible environmentally superior alternative and the City approves Alternative 5 as the Revised Project.

Alternatives Analyzed in the Draft and Final EIR:

To be comprehensive, the City restates its findings of infeasibility provided regarding each of the Alternative discussed above including Alternatives 1-4, which were analyzed in detail in the Draft EIR. In conclusion, the City rejects the alternatives above as being infeasible, due either to not meeting the project objectives, potentially generating greater impacts than would the project, not being economically feasible, and/or not reducing significant impacts associated with the project, and based on specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, that make infeasible the these project alternatives.

8. STATEMENT OF OVERRIDING CONSIDERATIONS

The EIR identifies unavoidable significant impacts that would result from implementation of the project. Section 21081 of the California Public Resources Code and Section 15093(b) of the CEQA Guidelines provide that when a decision of a public agency allows the occurrence of significant impacts that are identified in the EIR, but are not at least substantially mitigated to an insignificant level or eliminated, the lead agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. The State CEQA Guidelines require, pursuant to CEQA Guidelines Section 15093(b), that the decision-maker adopt a Statement of Overriding Considerations at the time of approval of a project if it finds that significant adverse environmental effects have been identified in the EIR that cannot be substantially mitigated to an insignificant level or be eliminated. These findings and the Statement of Overriding Considerations are based on the documents and materials that constitute the record of proceedings, including, but not limited to, the Final EIR and all technical appendices attached thereto.

Based on the analysis provided in the EIR, implementation of the Project would result in significant impacts that cannot be feasibly mitigated with respect to: Air Quality (VOC and NOx emissions which violate air quality standards and result in a cumulative increase in criteria pollutants) and Traffic and Transportation (cumulative operational traffic impacts that would conflict with the applicable measures of effectiveness for performance of the circulation system).

Accordingly, the City adopts the following Statement of Overriding Considerations. The City recognizes that significant and unavoidable impacts would result from implementation of the project. Having (i) adopted all feasible mitigation measures, (ii) rejected as infeasible the alternatives to the project discussed above, (iii) recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the project against the project's significant and unavoidable impacts, the City hereby finds that each of the project's benefits, as listed below, outweigh and override the significant unavoidable impacts relating to construction noise and construction and operational traffic.

The below stated reasons summarize the benefits, goals and objectives of the Project, and provide the detailed rationale for the benefits of the Project. These overriding considerations of economic, social, aesthetic, and environmental benefits for the Project justify adoption of the Project and certification of the completed EIR. Each of the following overriding consideration separately and independently (i) outweighs the adverse environmental impacts of the Project, and (ii) justifies adoption of the Project and certification of the completed EIR. In particular, achieving the underlying purpose for the Project would be sufficient to override the significant environmental impacts of the Project.

1. **Site Redevelopment**. The Revised Project would substantially improve the existing conditions on the Project Site, by transforming vacant buildings and surface parking into a mixed-use complex, incorporating a pedestrian-friendly site and building design, providing a substantially improved streetscape, increasing onsite landscaping and open space areas, and enhancing the aesthetic and character of the Project Site. In this respect, the Project is an opportunity to implement a redevelopment project strategically positioned adjacent to transit opportunities and with direct synergy within a regional commercial center in the Panorama City Center of the City.

2. **Supports City's Housing Goals.** The Revised Project will help respond to the City's critical housing deficiency, as well as the Mayor's housing goal to add 100,000 new residential units within the City by 2020, and further the goals of the City's Housing Element of its General Plan by adding 623 new housing units to the Project Site. The Project would include a range of unit types, ranging from studio to three-bedroom units, and would be able to accommodate a diversity of households.

3. **Community-Serving Features**. The Revised Project will serve existing and new residents with a development that combines complementary uses, such as retail and residential uses, that are designed to serve residents, the surrounding neighborhood, visitors, and the larger community, and amenities such as an approximately 16,895-square-foot public plaza, new landscaped areas, and various streetscape improvements.

4. **Smart Growth.** The Revised Project will support efforts to achieve local and regional sustainability and mobility goals by promoting and encouraging transit usage and the reduction of automobile trips through the incorporation of pedestrian pathways, transit linkages, ample bicycle parking and storage, a well-balanced mix of on-site amenities, and a Traffic Demand Management program to encourage more efficient and alternative modes of transportation. The Revised Project would also be in a transit-oriented area, one block from the Van Nuys Boulevard corridor, which has the highest north-south transit boardings in the San Fernando Valley, experiencing nearly 25,000 daily boardings on Metro buses, and within an area of high transit-dependency (35%).

5. **Employment and Tax Revenue.** The Revised Project will create approximately 1,200 temporary construction jobs and 160 permanent jobs at the Project Site, and would provide economic benefits for the City as it would generate new public revenues, such as sales tax, property tax and business tax revenues.

9. FINDINGS ON MITIGATION MONITORING PLAN

Pursuant to Section 15091 (a)(1) of the CEQA Guidelines, the City finds that implementation of the mitigation measures and project design features included in Section IV of the Final EIR would substantially lessen the significant environmental effects resulting from the Revised Project. These mitigation measures and project design features have been required in, or

incorporated into the Project. In accordance with Section 15091(d) and Section 15097 of the CEQA Guidelines that require a public agency to adopt a program for reporting or monitoring required changes or conditions of approval to substantially lessen significant environmental effects, the Mitigation Monitoring Plan provided as Section IV of the Final EIR is hereby adopted as the mitigation monitoring plan for this Project.

10. FINDINGS ON CHANGES TO THE DRAFT EIR AND RECIRCULATION

CHANGES TO THE DRAFT EIR

During the Draft EIR public comment period, a letter was received from a representative of Primestor CFIC/CG, LLC ("Primestor") indicating that the Draft EIR's cumulative traffic impact analysis was deficient and did not address the expansion of the adjacent Panorama City Mall, located at 8401 N. Van Nuys Boulevard, as a related project. The letter from Primestor is included as Letter No. 7 in the Final EIR. The letter states that proposed expansion of the Panorama Mall would result in an additional 266,000 square feet of commercial land uses at a site adjacent to the Project. An application for the Panorama Mall expansion was received by the City on February 13, 2017, six months after the issuance of the Notice of Preparation for the ICON Project.

The Draft EIR adequately analyzed cumulative impacts based on assumptions of ambient growth rates and all other closely related past, present, and reasonably foreseeable probable future projects known at the time of the issuance of the NOP, the established baseline condition and environmental setting. The Panorama Mall expansion project had not yet been proposed at that time and was not reasonably foreseeable, and was therefore not included in the analysis. Moreover, CEQA permits a Lead Agency to set a reasonable cut-off date – typically at the issuance of the NOP – to determine baseline conditions and is not required to continuously update these conditions or a list of related projects.

Although not required to do so under CEQA, the City in its discretion decided to update the baseline to include the Panorama Mall expansion as a related project, based on the size, scope, and location of that project, to provide a more conservative cumulative impact analysis. The new information presented in the comment letter identified a significant change to the future environmental setting immediately adjacent to the Project Site and, therefore, the Lead Agency revisited its original analysis in order to incorporate this new information. An updated analysis found that with the inclusion of the Panorama Mall expansion as a related project, traffic generated by the Project, in conjunction with cumulative development in the area, would result in a new significant and unavoidable impact at the intersection of Roscoe Boulevard and the I-405 SB Ramps (intersection number 11) during the weekday afternoon peak hours. This new significant environmental impact was not previously identified in the Draft EIR, and therefore recirculation of the traffic analysis portion of the Draft EIR was required.

Pursuant to Section 15088.5 of the State CEQA Guidelines, a Revised Draft EIR was prepared to provide the public an opportunity to review and comment on the changes to the Project's traffic analysis based on the addition of the Panorama City Mall expansion as a related project. The revision was limited to the addition of the Panorama Mall expansion project to the related projects list (Related Project No. 20) and an update to the Draft EIR Section IV.K (Transportation/Traffic) of the Draft EIR. The inclusion of the Panorama Mall did not otherwise change the remainder of the conclusions of other impact areas of the Draft EIR (see Section IV, Revisions, Clarifications, and Corrections to the Draft EIR) in the Final EIR.

The Revised Draft EIR was circulated for public review from August 31 to October 16, 2017. The Final EIR was published on February 23, 2018 and includes responses to comments in Primestor's letter (Letter No. 7) regarding the Draft EIR, as well as all comment letters received on both the Draft EIR and the Revised Draft EIR, as specified in CEQA Guidelines Section 15088.5(f).

An Errata was completed on March 23, 2018 to make minor corrections to the Final EIR. The Errata included a correction to remove changes in the Final EIR identifying Alternative 5 as the Environmentally Superior Alternative, and that the original Draft EIR discussion of identifying Alternative 2 (Reduced Project Alternative) as the superior alternative should stand. The Errata also addressed the correction to the number of impacted intersections after migitation for Alternative 3 (All Commercial Alternative) under future cumulative conditions as three, rather than two, based on the inclusion of the Panorama Mall as a related project. The Errata further states that this information does not represent significant new information that would affect the analysis or conclusions presented in the Final EIR.

FINDINGS REGARDING FINAL EIR

Pursuant to CEQA, on the basis of the review and consideration of the Final EIR, the City finds the following:

1. Factual corrections and minor changes have been set forth as clarifications and modifications to the Draft EIR;

2. The factual corrections and minor changes to the Draft EIR are not substantial changes in the Draft EIR that would deprive the public of a meaningful opportunity to comment on a substantial adverse environmental effect of the Project, a feasible way to mitigate or avoid such an effect, or a feasible project alternative;

3. The factual corrections and minor changes to the Draft EIR will not result in new significant environmental effects or substantially increase the severity of the previously identified significant effects disclosed in the Draft EIR;

4. The factual corrections and minor changes in the Draft EIR will not involve mitigation measures or alternatives that are considerably different from those analyzed in the Draft EIR that would substantially reduce one or more significant effect on the environment; and

5. The factual corrections and minor changes to the Draft EIR do not render the Draft EIR so fundamentally inadequate and conclusory in nature that meaningful public review and comment would be precluded.

Thus, none of the conditions set forth in CEQA requiring recirculation of a Draft EIR have been met, except as described above. Incorporation of the factual corrections and minor changes to the Draft EIR into the Final EIR does not require the Final EIR to be circulated for public comment.

11. OTHER CEQA CONSIDERATIONS

1. The City, acting through the Department of City Planning is the "Lead Agency" for the project, evaluated the EIR. The City finds that the EIR was prepared in compliance with CEQA and the CEQA Guidelines. The City finds that it has independently reviewed and analyzed the EIR for the Project, that the Draft EIR and Revised Draft EIR, which were

circulated for public review, reflected its independent judgment and that the Final EIR reflects the independent judgment of the City.

2. The EIR evaluated the following potential project and cumulative environmental impacts: air quality, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, transportation/traffic, utilities and service systems, and energy conservation. Additionally, the EIR considered Growth Inducing Impacts and Significant Irreversible Environmental Changes. The significant environmental impacts of the project and the alternatives were identified in the EIR.

3. The City finds that the EIR provides objective information to assist the decision- makers and the public at large in their consideration of the environmental consequences of the Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit comments regarding the Draft EIR and Revised Draft EIR. The Final EIR was prepared after the review period and responds to comments made during the public review periods.

4. Textual refinements and errata were compiled and presented to the decision- makers for review and consideration. The City staff has made every effort to notify the decision-makers and the interested public/agencies of each textual change in the various documents associated with project review. These textual refinements arose for a variety of reasons. First, it is inevitable that draft documents would contain errors and would require clarifications and corrections. Second, textual clarifications were necessitated in order to describe refinements suggested as part of the public participation process.

5. The Department of City Planning evaluated comments on environmental issues received from persons who reviewed the Draft EIR and Revised Draft EIR. In accordance with CEQA, the Department of City Planning prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned response to the comments. The Department of City Planning reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information regarding environmental impacts in the Draft EIR and Revised Draft EIR. The Lead Agency has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these findings, concerning the environmental impacts identified and analyzed in the EIR.

6. The Final EIR documents changes to the Draft EIR and Revised Draft EIR. The Final EIR provides additional information that was not included in the Draft EIR and Revised Draft EIR. Having reviewed the information contained in the Draft EIR, Revised Draft EIR, and the Final EIR and in the administrative record, as well as the requirements of CEQA and the CEQA Guidelines regarding recirculation of Draft EIRs, the City finds that there are no new significant impacts, substantial increase in the severity of a previously disclosed impact, significant information in the record of proceedings or other criteria under CEQA that would require recirculation of the Draft EIR or Revised Draft EIR, or preparation of a supplemental or subsequent EIR.

   Specifically, the City finds that:

   a. The Responses To Comments contained in the Final EIR fully considered and responded to comments claiming that the project would have significant impacts or

more severe impacts not disclosed in the Draft EIR and/or Revised Draft EIR and include substantial evidence that none of these comments provided substantial evidence that the project would result in changed circumstances, significant new information, considerably different mitigation measures, or new or more severe significant impacts than were discussed in the Draft EIR and/or Revised Draft EIR.

b. The City has thoroughly reviewed the public comments received regarding the Project and the Final EIR as it relates to the Project to determine whether under the requirements of CEQA, any of the public comments provide substantial evidence that would require recirculation of the EIR prior to its adoption and has determined that recirculation of the EIR is not required.

c. None of the information submitted after publication of the Final EIR, including testimony at and documents submitted for the public hearings on the Project, constitutes significant new information or otherwise requires preparation of a supplemental or subsequent EIR. The City does not find this information and testimony to be credible evidence of a significant impact, a substantial increase in the severity of an impact disclosed in the Final EIR, or a feasible mitigation measure or alternative not included in the Final EIR.

7. The mitigation measures identified for the project were included in the Draft, Revised Draft, and Final EIRs. As revised, the final mitigation measures for the project are described in the Mitigation Monitoring Program (MMP). Each of the mitigation measures identified in the MMP is incorporated into the project. The City finds that the impacts of the project have been mitigated to the extent feasible by the mitigation measures identified in the MMP.

8. CEQA requires the Lead Agency approving a project to adopt a MMP or the changes to the project which it has adopted or made a condition of project approval in order to ensure compliance with the mitigation measures during project implementation. The mitigation measures included in the EIR as certified by the City as adopted by the City serves that function. The MMP includes all of the mitigation measures and project design features adopted by the City in connection with the approval of the project and has been designed to ensure compliance with such measures during implementation of the project. In accordance with CEQA, the MMP provides the means to ensure that the mitigation measures are fully enforceable. In accordance with the requirements of Public Resources Code Section 21081.6, the City hereby adopts the MMP.

9. In accordance with the requirements of Public Resources Section 21081.6, the City hereby adopts each of the mitigation measures expressly set forth herein as conditions of approval for the project.

10. The custodian of the documents or other material which constitute the record of proceedings upon which the City's decision is based is the City Department of City Planning.

11. The City finds and declares that substantial evidence for each and every finding made herein is contained in the EIR, which is incorporated herein by this reference, or is in the record of proceedings in the matter.

12. The City is certifying an EIR for, and is approving and adopting findings for, the entirety of the actions described in these Findings and in the EIR as comprising the project.

13. The EIR is a Project EIR for purposes of environmental analysis of the project. A Project EIR examines the environmental effects of a specific project. The EIR serves as the primary environmental compliance document for entitlement decisions regarding the Project by the City and other regulatory jurisdictions.

14. The City finds that none of the public comments to the Draft EIR, Revised Draft EIR, or subsequent public comments or other evidence in the record, including any changes in the project in response to input from the community and the Council Office, include or constitute substantial evidence that would require recirculation of the Final EIR prior to its certification and that there is no substantial evidence elsewhere in the record of proceedings that would require substantial revision of the Final EIR prior to its certification, and that the Final EIR need not be recirculated prior to its certification.